

Government submission

identification

affiliation

government

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country

Polska

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

additional option

.

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

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Austria

age

66

gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

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Italy

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

L'imposizione del pacchetto generico è una violazione delle norme sulla proprietà intellettuale e sulla tutela dei marchi, oltre che una limitazione alla libertà di scelta dei fumatori.

which option

No change

questions on reporting**problem definition**

No

explanations

Non credo sia opportuno prevedere l'imposizione di nuove tasse e sanzioni. Credo invece sia opportuno modificare le norme in vigore riguardo al formato di trasmissione delle informazioni sugli ingredienti e sui dati tossicologici. Sarebbe auspicabile l'adozione, da parte di tutti gli Stati membri, di un formato comune di comunicazione di questi dati.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Nella definizione del problema non si fa riferimento alle analisi tossicologiche, che vengono regolarmente effettuate sugli ingredienti. Sarebbe più opportuno focalizzarsi su queste informazioni, già disponibili, piuttosto che basare la regolamentazione degli ingredienti su criteri quali l'attrattiva, un concetto generico e molto soggettivo.

which option

No Change

access to tobacco products**problem definition**

No

explanations

In Italia la vendita dei prodotti del tabacco è affidata a una rete di professionisti competenti sulla base di un contratto di licenza. Questa rete ha un potenziale maggiore di controllo rispetto ai paesi dove le vendite sono liberalizzate: nel nostro Paese i tabaccai hanno il dovere di verificare l'età dell'acquirente e i distributori automatici erogano il prodotto solo a chi dispone di un documento d'identità. Nel nostro Paese inoltre si fanno numerose campagne di informazione sui danni da fumo nelle scuole e comunque rivolte ai giovani. Per questi motivi non concordo con le misure proposte.

which option

No change

Government submission**identification****affiliation**

government

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Österreich

age

51

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

No change

**questions consumer
problem definition**

Yes

which option

No change

**questions on reporting
problem definition**

Yes

which option

No change

**regulation of ingredients
problem definition**

Yes

which option

No Change

**access to tobacco products
problem definition**

Yes

which option

No change

Government submission

**identification
affiliation**

government

name

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Italy

age

37

gender
male

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
Trovo la proposta del pacchetto generico azzardata sotto il profilo giuridico, in quanto viola le norme di protezione dei marchi e della proprietà intellettuale. Imporre inoltre un imballaggio generico è una coercizione di un'attività economica e della scelta del fumatore.

which option
No change

questions on reporting
problem definition
No

explanations
Agli Stati membri dell'Unione europea è già data la possibilità di imporre sanzioni e tasse di registrazione. Sarebbe invece opportuno cambiare le norme in vigore relative al formati di trasmissione delle informazioni relative agli ingredienti e ai dati tossicologici. In questo campo è auspicabile l'adozione di un formato comune per tutti gli Stati membri.

which option
Establish a common compulsory reporting format

regulation of ingredients
problem definition
No

explanations
Nella definizione del problema non si fa riferimento alle analisi ossicologiche che vengono già effettuate sugli ingredienti. A mio avviso sarebbe più opportuno focalizzare l'attenzione su

queste informazioni piuttosto che basare la regolamentazione degli ingredienti su criteri come l'attrattiva, generici e soggettivi.

which option

No Change

access to tobacco products

problem definition

No

explanations

In Italia la vendita del prodotto è regolamentata e affidata a una rete di professionisti cui è affidato il controllo dell'età dell'acquirente. Allo stesso modo, i distributori automatici non erogano il prodotto se non a fronte dell'inserimento di un documento d'identità utile a verificare l'età del compratore.

which option

No change

Government submission

identification

affiliation

government

name

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country

Austria

age

39

gender

female

questions scope

problem definition

No

explanations

Lasst die Raucher in ruhe!

which option

No change

**questions smokeless
problem definition**

Yes

which option

No change

**questions consumer
problem definition**

Yes

which option

No change

**questions on reporting
problem definition**

Yes

which option

No change

**regulation of ingredients
problem definition**

Yes

which option

No Change

**access to tobacco products
problem definition**

Yes

which option

No change

Government submission

**identification
affiliation**

government

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country
Romania

age
24

gender
female

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

additional option
Interdictia asupra snus este nejustificata si trebuie ridicata pentru ca exista dovezi stiintifice semnificative care demonstreaza ca snus este mult mai putin daunator decat tigarele.

questions consumer
problem definition
No

explanations
Nu exista nicio dovada cum ca avertismentele mai mari sunt mai eficiente nici ca ar avea vreun impact asupra incidentei impactului la tineri. Avertismentele de sanatate in formatul actual sunt suficient de mari pentru a transmite mesajele privind sanatatea, deci consumatorii sunt constienti de riscurile fumatului. Referitor ambalajelor simple nu exista dovezi ca ar imbunatati functiionarea pietei interne sau ca ar avea vreo influenta benefica asupra sanatatii publice. Eliminarea tuturor logourilor, culorilor si graficelor de pe pachet ar incalca dreptul la proprietate intelectuala-art. 53 din Constitutia Romana. De asemenea ar creste comertul ilicit, contrafacerea si contrabanda.

which option
No change

questions on reporting
problem definition
No

explanations

Statele membre pot introduce taxe si sanctiuni iar aplicarea directivei ar trebui sa ramana responsabilitatea fiecarui stat membru.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Testarea ingredientelor trebuie sa demonstreze daca ele duc la o toxicitate sporita a fumatului, dovezi care nu exista in momentul de fata. Interzicerea ingredientelor ar insemna pierderi de 2 miliarde de euro asupra veniturilor la bugetul de stat din accize si TVA. Ar creste comertul ilicit, contrabanda si contrafacerea. In Romania, tigarile cu ingrediente reprezinta 98% din total piata.

which option

No Change

access to tobacco products

problem definition

No

explanations

Nu exista nicio dovada in sensul ca restrictiile ar imbunatati functionarea pietei interne sau ar aduce avantaje obiectivului de sanatate publica. Interzicerea comerciantilor legali de a expune produsele din tutun la punctul de vanzare nu va face decat sa creeze o bariera in calea comertului, proliferand comertul ilicit.

which option

No change

Government submission

identification

affiliation

government

name

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Italy

age
41

gender
female

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations

In qualità di Deputato del Parlamento Italiano e Vice Presidente della Commissione Affari Costituzionali della Camera dei Deputati, trovo la proposta di un "pacchetto generico" quantomeno azzardata sotto il profilo giuridico, oltre a non condividerla sul piano delle idee personali. Sul piano ideologico, imporre un imballaggio neutro sembra una chiara coercizione di un'attività economica e della scelta del fumatore. Tutti ormai conoscono gli effetti negativi del fumo sulla salute. Molti, tuttavia, decidono di fumare per le più svariate ragioni. Personalmente ritengo che la scelta di fumare debba essere lasciata all'individuo, così come la scelta relativa a tutta una serie di comportamenti a rischio che fanno parte, volenti o nolenti, della nostra cultura storica e sociale. Sul piano giuridico, ritengo la proposta di non chiara compatibilità con l'ordinamento italiano. La forzata espropriazione dalla superficie dell'imballaggio dei colori e toni caratteristici della marca e del prodotto viola certamente le più elementari regole di protezione dei marchi e della proprietà intellettuale. Tali normative trovano la loro base nella Costituzione (ART. 41 e 42), sono espresse nel Codice Civile, nel Codice della proprietà industriale ed in varie normative internazionali tra cui vale la pena ricordare la Convenzione di unione di Parigi per la protezione della proprietà industriale (1883), l'Arrangement di Madrid, l'Accordo Trips e la direttiva 2008/95/CE nonché la disciplina relativa al marchio comunitario introdotta dal regolamento n. 40/94 del Consiglio CE, poi sostituito dal Regolamento n. 207/2009.

which option
No change

questions on reporting
problem definition
No

explanations

Agli Stati membri dell'Unione europea è già data la possibilità di imporre sanzioni e tasse di registrazione. Piuttosto sarebbe opportuno modificare le norme attualmente in vigore per quanto riguarda il formato di trasmissione delle informazioni relative agli ingredienti e ai relativi dati tossicologici: in questo campo è auspicabile l'adozione di un formato comune di comunicazione di queste informazioni per tutti gli Stati membri.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Nella definizione del problema, non si fa riferimento alle analisi tossicologiche che già ora sono effettuate sugli ingredienti. Ritengo peraltro che sarebbe più opportuno focalizzarsi su queste informazioni, peraltro già disponibili, piuttosto che basare la regolamentazione degli ingredienti su criteri come l'attrattiva, concetto quest'ultimo troppo generale e soggettivo.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Ricordo che in Italia le vendite dei prodotti del tabacco sono affidate ad una rete di professionisti altamente competenti sulla base di un contratto di licenza. Tale struttura, derivante dal Monopolio, ha numerosi vantaggi. Tra questi un potenziale di controllo delle vendite molto superiore a quello di paesi, come quelli citati nel documento di consultazione, in cui le vendite sono liberalizzate. I nostri 50.000 tabaccai hanno il dovere di controllare che le sigarette non siano vendute a minori. I distributori automatici in Italia erogano prodotti solo a chi dispone di un documento ufficiale di riconoscimento, volto a certificarne la maggiore età. Si aggiunga il ruolo che dovrebbe essere svolto dagli educatori e si ha un sistema completo di controllo del fumo minorile. Non ritengo che il proibizionismo sia necessario. Ritengo che il nostro sistema di vendita dovrebbe essere più apprezzato e proposto ad altri paesi come modello. Per queste ragioni non appoggio le misure proposte.

which option

No change

Government submission**identification****affiliation**

government

name

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Austria

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Health warnings to be put on water pipes

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;

Access to vending machines to be restricted to adults

Government submission**identification****affiliation**

government

name

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LITHUANIA

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer**problem definition**

Yes

which option

Introduce generic or plain packaging

questions on reporting**problem definition**

Yes

which option

Introduce fees and sanctions

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

Government submission**identification****affiliation**

government

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country

Germany

questions scope**problem definition**

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

There is no evidence that bigger warnings are more effective. There is no evidence that plain packaging would improve the functioning of the internal market or have any public health benefits. It would make it easier for criminals to copy legitimate brands and would lead to an increase in illegal sales of cigarettes.

which option

No change

questions on reporting

problem definition

No

explanations

Member States can already introduce fees and sanctions. Enforcement of the provisions of the directive should remain the responsibility of the member states.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

The focus of ingredients testing should be on whether the ingredients result in increased toxicity of tobacco smoke.

which option

No Change

access to tobacco products

problem definition

No

explanations

There is no clear problem stated as regards either vending machines or point of sale display. There is no evidence provided as to why bans would improve the functioning of the internal market or advance any public health objectives.

which option

No change

Government submission

identification

affiliation

government

name

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Austria

age

43

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

name

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country

Italy

questions scope

problem definition

Yes

which option

No change

recommend option

Condivido certamente gli obiettivi, prima di tutto relativi alla salute pubblica, che animano la normativa comunitaria in oggetto. Da membro fino al luglio 2010 della Commissione Politiche Comunitarie della Camera, vorrei richiamare però l'attenzione sul fatto che il

sistema scelto dalla DG Salute e Consumatori risulta di non facile accesso per tutti i cittadini dell'Unione Europea. Il formulario è disponibile solo in inglese, così come il documento alla base della consultazione. Pertanto, ai cittadini dell'Unione che hanno poca o nessuna dimestichezza con i mezzi informatici e con la lingua inglese è di fatto preclusa la possibilità di partecipare.

**questions smokeless
problem definition**

Yes

which option

No change

**questions consumer
problem definition**

No

explanations

Comprendo certamente il senso delle proposte. Sarebbe però auspicabile che misure di peso come l'introduzione del confezionamento generico, per obiettivi pur condivisibili, venissero valutate alla luce del criterio di proporzionalità e di ogni possibile impatto. Tale confezionamento, ritengo, potrebbe facilitare la riproduzione di pacchetti completamente bianchi per le organizzazioni criminali che già operano nel campo della contraffazione di tali prodotti. Tra l'altro, nei paesi ove sono stati limitati gli spazi sui pacchetti a favore di avvertenze maggiori o illustrate i tassi di consumo non sembrano diminuiti. Infine, occorre tener presente la possibilità che tale misura sia in contrasto con le norme internazionali per la protezione dei marchi.

which option

No change

**questions on reporting
problem definition**

No

explanations

Sarebbe auspicabile un formato comune obbligatorio di comunicazione degli ingredienti, come quello definito dalla stessa Commissione Europea nella guida pratica del 2007.

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

L'obiettivo di diminuire la pericolosità dei prodotti da fumo è senz'altro condivisibile. Le sigarette senza ingredienti non sembrano meno dannose, né meno attrattive di quelle con ingredienti, come dimostrano i tassi di malattie legate al fumo e di consumo nei paesi ove le

sigarette senza ingredienti sono preferite. Bisognerebbe evitare che il consumatore venga fuorviato verso una percezione di minore dannosità. Piuttosto, ritengo, sarebbe bene che le autorità avessero a disposizione analisi tossicologiche degli ingredienti: se infatti l'aggiunta di un ingrediente aumenta la tossicità del fumo da sigaretta, andrebbe certamente rimosso.

which option

No Change

access to tobacco products

problem definition

No

explanations

Regolare l'accesso ai prodotti del tabacco è un'esigenza giusta; le misure ipotizzate, però, potrebbero non essere proporzionate allo scopo e non efficaci per affrontare i problemi dell'accesso. Si potrebbe configurare, a mio avviso, il rischio di alimentare il mercato illecito, e di creare serie ripercussioni all'intera filiera del tabacco italiano. Ritengo che il sistema vigente in Italia, e il monopolio di vendita al dettaglio dei prodotti del tabacco, assicurano efficaci controlli all'accesso, senza limitare la libera scelta dei fumatori adulti.

which option

No change

Government submission

identification

affiliation

government

name

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Romania

age

30

gender

female

questions scope

problem definition

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional option

Nu exista dovezi stiintifice care sa sustina interzicerea. Interzicerea unui produs in mod arbitrar creaza precedente deci sustinem reglementarea pe baze stiintifice.

questions consumer**problem definition**

No

explanations

Romania a fost a doua tara membra UE care a introdus avertismentele grafice in varianta de 30-40% si 10% pe margine. La ora actuala sunt doar cateva state membre care au implementat aceasta masura, deci Romania sustine uniformizarea dimensiunii curente de 30-40-10% si nu cresterea suprafetelor alocate avertismentelor de sanatate. In plus nu exista nici o dovada cum ca o dimensiune mai mare a avertismentelor ar duce la o scadere a fumatului. Introducerea pachetelor generice ar insemna incalcarea Constitutiei Romaniei la art. 30 - libertatea de exprimare, art. 44 - dreptul la proprietate privata si articolele 45 si 135 care insemna economie de piata.

which option

No change

questions on reporting**problem definition**

No

explanations

Statele membre pot introduce sanctiuni iar prevederile Directivei ar trebui sa ramana o responsabilitate la nivel national.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Testarea ingredientelor trebuie sa demonstreze ca acestea cresc toxicitatea produsului ceea ce nu e4ste demonstrat.

which option

No Change

additional option

Statele membre sunt libere sa reglementeze in continuare produsele din tutun, Romania fiind una dintre tarile care a reglementat raportarea ingredientelor pe formatele comune.

access to tobacco products**problem definition**

No

explanations

Nu exista nici o dovada ca restrictia afisarii produsului la punctul de vanzare ar aduce vreun beneficiu obiectivului de sanatate publica. Mai mult incalca constitutia si principiile concurentiale(ridica bariere la intrarea pe piata a unui nou jucator).

which option

No change

Government submission**identification****affiliation**

government

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Romania

questions scope**problem definition**

Yes

which option

No change

recommend option

The extension of the scope of the Directive seems to be more appropriate so that we avoid the distortions affecting the internal market and in order to protect human health across the EU. However I consider that the ban on novel forms of oral tobacco shouldn't be automatically banned. For a ban to be justified there should be a thorough scientific assessment which provides the relevant argument for such an option. An automatic ban would prevent us from helping smokers to switch to less dangerous forms of tobacco.

questions smokeless**problem definition**

Yes

which option

No change

additional option

Evidence has shown that snus can be a threat for human health. If snus is less likely to cause lung cancer, there is a high risk of other types of cancer, which means that it is not reasonable to promote snus as a better alternative to normal tobacco since its potential benefits are mitigated by its potential harm. On the other hand, as long as there is no scientific ground to ban all other types of smokeless tobacco products, such a ban would be inappropriate.

questions consumer**problem definition**

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Health warnings to be put on water pipes

additional option

Picture warnings should be made mandatory across the Union but there is no absolute link between its size and its effectiveness. These pictures should have a reasonable size without hindering producers to put on their logo and so on. Concerning the level of tar, nicotine and carbon monoxide, it is not appropriate to remove this information and replace it by general information on harmful substances for the simple reason that some consumers may find this information indicative of the taste of the cigarette etc. This does not exclude the possibility to add more information on harmful substances whereas maintaining a reasonable level of information. If a package contains too much information, its added value will be lost because consumers will not read it. Information should be as brief and clear as possible.

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

additional comments

The emphasis in ingredients testing should be not so much pu on attractiveness which is a rather subjective criterion, but on toxicity, which can be practically measured. An ingredient should be allowed or banned on scientific grounds. A negative list would be more useful than a common positive list since new substances may appear and their use wouldn't be allowed unless the directive is systematically modified. Such an option would be too rigid for the industry and burdensome for EU institutions and above all, for the Commission.

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults

additional comments

Option 2 (Controlled supply and access) would be the best option among what the Commission proposes. However the option 2c restricting tobacco display and promotion at points of sale could be disproportionate for the industry since it would make it difficult for producers to launch and promote new products on the market. This could also be an inconvenient for consumers who would like to be fully aware of the choice they have. Human health has to be protected but at the same time we should respect the freedom of those who choose to smoke to do so whereas trying to explain to them the harmful effects of smoking. But this is not to say that deterrent measures should be so harsh as to make the individual freedom illusionary. Indeed, taking strong deterrent measures would almost be equal to a ban in practice, since smokers are told that they are free to smoke but they are systematically prevented from doing so.

Government submission**identification****affiliation**

government

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country

Spain

**questions scope
problem definition**

Yes

which option

No change

recommend option

Una extensión del ámbito de aplicación a otros productos siempre tiene que estar fundada en bases científicas sólidas y, además, respaldada por evaluaciones científicas de metodología adecuada. Una extensión del ámbito no puede, en ningún caso, devenir en una prohibición automática para toda una categoría de nuevos productos, con la única justificación del hecho de que se tratan de productos nuevos.

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

additional option

Levantar la prohibición de comercialización del snus. La prohibición en snus no está justificada en bases científicas sólidas. En este sentido, autoridades públicas sanitarias, han reconocido que este producto reduce el riesgo substancialmente si lo comparamos con los cigarrillos convencionales.

questions consumer

problem definition

No

explanations

El incrementar el tamaño de las advertencias no las convierte a éstas en más efectivas. Es ridículo pensar que un mayor tamaño desincentivaré la compra, o contribuirá a comunicar unos riesgos de salud que, a día de hoy, son perfectamente conocidos por cualquier ciudadano europeo. El empaquetado genérico es contrario a la Constitución Española y conculca los derechos constitucionales de propiedad privada y libertad de empresa. Además atenta contra los derechos de marca ampliamente reconocidos y protegidos por leyes específicas en España. En consecuencia, y de acuerdo a la ley española, y entiendo también que a la nacional de otros Estados Miembros, el empaquetado genérico es un flagrante caso de expropiación forzosa e injustificada de los titulares de los derechos de marca que, desde mi punto de vista, puede llevar a complejos litigios entre los titulares de los citados derechos y la Comisión Europea. Además convierte el producto en un mero “commodity” desprovisto de sus atributos de marca. Este hecho provocará una agresiva competencia mediante precios ultra-bajos y permitirá que la industria ilegal pueda copiar más fácilmente los productos genuinos. En el caso español, ya en el pasado, el contrabando y falsificado fue una pesada lacra para el Gobierno y costó años el reducirla. Esta medida ni mejorará el mercado interior, ni la salud pública europea sino que provocará las consecuencias indeseadas arriba mencionadas

which option

No change

questions on reporting**problem definition**

No

explanations

Los Estados Miembros son los que deben tener y ejercer sus competencias en este ámbito.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

El foco debe ponerse, con carácter previo, en estudiar los ingredientes individualmente Vs potencial incremento de la toxicidad. Me preocupa enormemente el hecho de que se impulsen regulaciones en una materia tan complicada como los aditivos/ingredientes de los productos del tabaco, sin mediar una base científica sólida y sin, además, tomar en consideración el impacto negativo que tendría en nuestros cultivos de tabaco europeos y en el conjunto de la cadena de valor (20.000 familias extremeñas, 14.000 estanqueros y miles de empleados en el sector productor nacional y europeo.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Una prohibición de venta a través de máquinas expendedoras, o la prohibición de exposición del producto, no mejorará el funcionamiento del mercado interior, ni contribuirán a la consecución de los objetivos sanitarios. Más bien al contrario ya que en el caso de España generaría una grave situación de desabastecimiento del mercado que sería sustituido por un nuevo canal alternativo de distribución ilegal. Además, en el caso específico español, la exposición del producto y/o la publicidad esta rigurosamente regulada y solo admitida en monopolio minorista de tabaco (estancos), canal especializado al que solo adultos mayores de edad para comprar su producto.

which option

No change

Government submission

identification**affiliation**

government

name

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country

Spain

gender

male

questions scope**problem definition**

Yes

which option

No change

recommend option

Desde mi punto de vista una adecuada técnica legislativa exige que cualquier extensión del ámbito de aplicación a otros productos, indefectiblemente, tenga que ser fundada en bases científicas sólidas y respaldada por evaluaciones científicas de metodología adecuada. En ningún caso, una extensión del ámbito de aplicación debe llevar consigo, de facto, una prohibición automática para toda una categoría de nuevos productos por el simple hecho de ser nuevos.

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional option

Abolir la prohibición en snus. La prohibición en snus no esta justificada en bases científicas sólidas. De hecho, algunas autoridades públicas sanitarias, reconocen que este producto reduce el riesgo substancialmente si lo comparamos con los cigarrillos convencionales. Hay evidencias científicas que demuestran que es menos dañino que los cigarrillos.

questions consumer**problem definition**

No

explanations

Los ciudadanos, hoy, están plenamente informados de los riesgos ocasionados por el tabaco. El incrementar el tamaño de las advertencias no las convierte a éstas en más efectivas. Sirva de ejemplo el caso Belga, fueron los primeros en introducir los pictogramas en el 2006 y, de acuerdo con el eurobarómetro (mayo 2010) la incidencia del 2006 al 2009 se ha incrementado en un 4% (de 26 % en 2006 a 30% en 2009) mientras la tendencia europea general (UE 27) era de descenso de varios puntos. En cuanto al empaquetado genérico es contrario a la Constitución Española y conculca los derechos constitucionales de propiedad privada (artículo CE – el derecho de marca es un reflejo de la propiedad privada en materia industrial) y el de libertad de empresa (artículo 38 CE). Es, por tanto, de acuerdo a la ley española, y entiendo también que a la nacional de otros Estados Miembros, una expropiación forzosa e injustificada a los titulares de los derechos de marca. Además al convertir el producto en un “commodity” (en el report RAND, encargado por la Comisión, se reconoce la “comoditización” como una realidad de establecerse el empaquetado genérico), se provocará una agresiva competencia mediante precios ultra-bajos y SE permitirá que la industria ilegal pueda copiar más fácilmente los productos genuinos. En el caso español, ya en el pasado, el contrabando y falsificado fue un lacra para el Gobierno y costó años el reducirlo

which option

No change

**questions on reporting
problem definition**

No

explanations

Los Estados Miembros tiene la facultad, algunos ya la han desarrollado, de regular sanciones para los supuesto de incumplimiento.

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

Previamente a dar el paso de la regulación el foco debe ponerse en estudiar, de forma apropiada y rigurosa, los ingredientes individualmente Vs potencial incremento de la toxicidad. Me preocupa enormemente el hecho de que se impulsen regulaciones en una materia tan complicada como los aditivos/ingredientes de los productos del tabaco, sin mediar una base científica sólida y sin, además, tomar en consideración el impacto que tendría en nuestros cultivos de tabaco europeos. Especialmente me inquieta y me preocupa el caso de mi circunscripción electoral Cáceres, donde 20.000 familias viven exclusivamente de la hoja y donde hay un altísimo índice de empleo rural femenino.

which option

No Change

**access to tobacco products
problem definition**

No

explanations

Una prohibición de venta mediante las máquinas expendedoras, o la prohibición de exposición del producto en las expendedorías, en ningún caso, mejorarán el funcionamiento del mercado interior, ni contribuirán a la consecución de los objetivos sanitarios. Más bien al contrario ya que en el caso de España generaría una grave situación de desabastecimiento del mercado que sería sustituido por un nuevo canal alternativo de distribución ilegal. Además, en España la exposición del producto y/o la publicidad esta rigurosamente regulada y solo admitida en el canal del monopolio minorista de venta del tabaco (estancos), canal especializado al que acceden solo adultos mayores de edad para comprar su producto.

which option

No change

Government submission

identification

affiliation

government

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country

Vienna

age

44

gender

male

questions scope

problem definition

Yes

which option

No change

additional comments

Ich finde es eine Frechheit das die EU mündige Bürger zu etwas verpflichten will das die Bürger nicht wollen.Lassen sie sich in der Unweltpolitik etwas einfallen und uns Trafikanten in Österreich in Ruhe unser Geschäft verrichten.Mit meinen Geschäft erhalte ich 4 Personen (Familie) und gleichzeitig 4 angestellte damit weniger in der arbeitslose sind.NEIN Danke zu

Ihren Ideen die die EU immer hat und Nein Dnake zu Ihrer Idee mir mein Geschäft vernichten zu wollen.Zuerst waren es die Gurken dann die Glühlampen nun die Zigaretten.Wo will die EU aufhören mit der Bevormundung?Ein schwerer Fehler die Eu zu wählen,ich hoffe das sich Österreich bald wieder abspaltet davon

questions smokeless

problem definition

No

comments

Sie können nicht alles auf die Zigaretten schieben die Krank machen,ich habe Kunden hier die mit 85 noch Rauchen und gesund sind,Probleme sind eher die Umwelt und krankmacher wie lärm,ich finde es übertrieben Genussmitteln für jegliche schuld in den Vordergrund zu stellen,wann ist es dann soweit mit alkohol und fettmachern?

which option

No change

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification
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government

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Austria

age
51

gender
male

questions scope
problem definition
No

explanations
no more limits

which option
No change

additional comments
no more limits

questions smokeless
problem definition
No

which option
No change

additional comments
no more limits

questions consumer
problem definition
No

explanations
es muss endlich vorbei sein mit dieser Hetze gegen die Raucher

which option

No change

additional comments

keine Grenzen mehr

questions on reporting

problem definition

No

explanations

Es muss endlich Schluss sein mit der Hetze gegen die Raucher

which option

No change

additional comments

keine Grenzen mehr

regulation of ingredients

problem definition

No

explanations

Es muss endlich Schluss sein mit der Hetze gegen die Raucher

which option

No Change

additional comments

keine Grenzen mehr

access to tobacco products

problem definition

No

explanations

Es muss endlich Schluss sein mit der Hetze gegen die Raucher

which option

No change

additional comments

no more limits

Government submission

identification

affiliation

government

name

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country

Österreich

age

52

gender

male

questions scope

problem definition

Yes

which option

No change

additional comments

Wir Österreicher haben genug andere Probleme, lasst die Raucher n Ruhe !!!!

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

name

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Austria

age

23

gender

female

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

please stop plain packaging and display ban!!!!!!!!!!!!!!!!!!!!!!

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

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affiliation

government

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country

Spain

questions scope

problem definition

Yes

which option

No change

recommend option

Como regulador cualesquiera extensión en el ámbito de aplicación de la directiva exige de sólidas evaluaciones científicas que lo sustenten. Cualquier extensión de ámbito no debe conllevar la prohibición de facto de toda clase de productos del tabaco.

questions smokeless**problem definition**

Yes

which option

No change

additional option

abolición de la prohibición de snus en la UE

questions consumer**problem definition**

No

explanations

Los ciudadanos son a día de hoy plenamente conscientes de los riesgos del consumo de tabaco. Por mucho incrementar el tamaño de las advertencias no se consiguen los objetivos sanitarios perseguidos. Los derechos de marca, en cualquier caso, debe ser salvaguardados porque forma parte de la propiedad intelectual de las compañías (artículo 38 de la Constitución Española, libertad de empresa). Si todos los paquetes de tabaco son empaquetados genéricos, sin posibilidad de ejercer los derechos de marca, lo único que se conseguirá es que las compañías compitan por precios bajos y se baje la calidad y controles del producto, proliferando el tabaco de contrabando y/o falsificado que en España costó años erradicarlo.

which option

No change

questions on reporting**problem definition**

No

explanations

Los Estados Miembros no pueden renunciar a su competencia de regulación e inspección, por supuesto, dentro del marco comunitario.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

El foco debe estar en determinar en si un ingrediente "per se" incrementa la toxicidad

which option

No Change

access to tobacco products

problem definition

No

explanations

La prohibición de venta mediante máquinas expendedoras, en ningún caso, mejorará el funcionamiento del mercado interior, no contribuirá a la consecución de los bojetivos sanitarios.

which option

No change

Government submission

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affiliation

government

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Austria

age

49

gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

**questions smokeless
problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

**questions consumer
problem definition**

Yes

which option

Introduce generic or plain packaging

**questions on reporting
problem definition**

Yes

which option

Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

Government submission

identification

affiliation

government

name

Dan Motreanu

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Romania

age

40

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

nu exista dovezi cum ca avertismentelede sanatate mai mari sunt mai eficiente. Si nici dovezi ca ambalajele simple ar imbunatati functionarea pietei interne sau ca ar vaea influente benefice asupra sanatatii. aceasta masura ar conduce la cresterea vanzarilor ilegale de tigarete

which option

No change

questions on reporting**problem definition**

No

explanations

statele membre pot introduce deja taxe si sanctiuni. aplicarea prevederilor Directivei trebuie sa ramana responsabilitatea statelor membre

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Testarea ingredientelor trebuie sa arate daca ingredientele conduc la o toxicitate sporita a fumatului

which option

No Change

access to tobacco products

problem definition

No

explanations

Nu exista nici o dovada cum ca restrictiile ar aduce vreun avantaj obiectivelor de sanatate publica

which option

No change

Government submission

identification

affiliation

government

name

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Romania

age

32

gender

female

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Nu sunt dovezi ca un avertisment mai puternic este mai eficient

which option

No change

questions on reporting

problem definition

No

explanations

Responsabilitatea incumba statului, pot fi introduse sanctiuni

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Testarea ingredientelor trebuie sa arate daca ingredientele duc la o toxicitate sporita a fumatului

which option

No Change

access to tobacco products

problem definition

No

explanations

Aduce atingere comertului liber

which option

No change

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government

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Polska

age

41

gender

male

questions scope**problem definition**

No

explanations

no coment

which option

No change

questions smokeless**problem definition**

No

comments

no coment

which option

Lifting the ban on snus

questions consumer**problem definition**

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

Introducing the basic criteria on the EU level without a common list

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission

identification

affiliation

government

name

Ciao

email

aaa@bbb

country

Italia

age

21

gender

female

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
No

comments
Ciao

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
TESTO

which option
No change

additional comments
TESTO2

questions on reporting
problem definition
Yes

which option
Establish a common compulsory reporting format

regulation of ingredients
problem definition
No

explanations
TESTO PAGINA 6

which option
No Change

access to tobacco products
problem definition
Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

additional option

TESTO1 PAGINA 7

additional comments

TESTO2 PAGINA 7

Government submission**identification****affiliation**

government

name

Ciao

email

aaa@bbb

country

Italia

age

21

gender

female

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

No

comments

Ciao

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

TESTO

which option

No change

additional comments

TESTO2

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

TESTO PAGINA 6

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults; Tobacco display and promotion at
points of sales to be restricted

additional option

TESTO1 PAGINA 7

additional comments
TESTO2 PAGINA 7

Government submission

identification
affiliation
government

name
Ciao

email
aaa@bbb

country
Italia

age
21

gender
female

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
No

comments
Ciao

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
TESTO

which option

No change

additional comments

TESTO2

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

TESTO PAGINA 6

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults; Tobacco display and promotion at
points of sales to be restricted

additional option

TESTO1 PAGINA 7

additional comments

TESTO2 PAGINA 7

Government submission

identification

affiliation

government

name

Ciao

email

aaa@bbb

country

Italia

age

21

gender

female

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

No

comments

Ciao

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

TESTO

which option

No change

additional comments

TESTO2

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

TESTO PAGINA 6

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults; Tobacco display and promotion at
points of sales to be restricted

additional option

TESTO1 PAGINA 7

additional comments

TESTO2 PAGINA 7

Government submission

identification

affiliation

government

name

Ciao

email

aaa@bbb

country

Italia

age

21

gender

female

questions scope
problem definition

Yes

which option

No change

questions smokeless
problem definition

No

comments

Ciao

which option

Lifting the ban on snus

questions consumer
problem definition

No

explanations

TESTO

which option

No change

additional comments

TESTO2

questions on reporting
problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients
problem definition

No

explanations

TESTO PAGINA 6

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults; Tobacco display and promotion at
points of sales to be restricted

additional option

TESTO1 PAGINA 7

additional comments

TESTO2 PAGINA 7

Government submission**identification****affiliation**

government

name

Ciao

email

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country

Italia

age

21

gender

female

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

No

comments

Ciao

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

TESTO

which option

No change

additional comments

TESTO2

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

TESTO PAGINA 6

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;

Access to vending machines to be restricted to adults; Tobacco display and promotion at

points of sales to be restricted

additional option

TESTO1 PAGINA 7

additional comments

TESTO2 PAGINA 7

Government submission

identification

affiliation

government

name

Ciao

email

aaa@bbb

country

Italia

age

21

gender

female

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

No

comments

Ciao

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

TESTO

which option

No change

additional comments

TESTO2

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

TESTO PAGINA 6

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults; Tobacco display and promotion at
points of sales to be restricted

additional option

TESTO1 PAGINA 7

additional comments

TESTO2 PAGINA 7

Government submission

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29

gender

male

questions scope**problem definition**

No

explanations

no comment

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

no comment

which option

No change

**questions on reporting
problem definition**

No

explanations

no comment

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

no comment

which option

No Change

**access to tobacco products
problem definition**

No

explanations

no comment

which option

No change

Government submission

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age

3

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Germany

age

33

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

No change

**questions consumer
problem definition**

Yes

which option

No change

**questions on reporting
problem definition**

Yes

which option

No change

**regulation of ingredients
problem definition**

Yes

which option

No Change

**access to tobacco products
problem definition**

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults; Tobacco display and promotion at
points of sales to be restricted

Government submission

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government

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questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
No change

questions consumer
problem definition
Yes

which option
No change

questions on reporting
problem definition
Yes

which option
No change

regulation of ingredients
problem definition
Yes

which option
Introducing the basic criteria on the EU level without a common list

access to tobacco products
problem definition
Yes

which option
No change

Government submission

identification

affiliation

government

name

Wunderlich Peter

email

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country

Deutschland

age

49

gender

male

questions scope

problem definition

Yes

which option

No change

recommend option

Die Ausfüllung ist dermaßen umständlich, das viele nicht abstimmen Typisch Politikermäßig warum nicht einfach voten Dieses gegängel von allen Seiten stinkt Diese verdammten Mochtegerpolitiker wissen halt vor langer Weile und geistiger Verblödung nicht mehr recht was sie noch von sich geben sollen -Existenz muß schließlich nachgewiesen werden , auch wenn man damit immer mehr Diff. zum Alltag offenbart. Wir brauchen diese geldverschlingenden , nutzlosen Freßmaschinen nicht Ich habe keinen Bock dieses zu übersetzen, wenn ihr Antworten haben wollt, fragt in Dt deutsch

questions smokeless

problem definition

Yes

which option

No change

additional option

Zeichen sind willk. gesetzt Meine Meinung zur ständigen Nötigung bzgl. Bevormundung kann man mit einem einfachen ja beantworten das sollte sich dieser Romanschreiber zu Herzen nehmen wahrscheinlich wird er nach Zeilen und Seiten bezahlt-affig

**questions consumer
problem definition**
Yes

which option
No change

**questions on reporting
problem definition**
Yes

which option
No change

**regulation of ingredients
problem definition**
Yes

which option
Introducing the basic criteria on the EU level without a common list

additional option

additional comments

**access to tobacco products
problem definition**
Yes

which option
No change

Government submission

**identification
affiliation**
government

name
Mohilla Maria

email
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country

austria

age

24

gender

female

questions scope

problem definition

No

explanations

arbeitsplätze werden vernichtet. für viele geschäfte bedeutet das konkurs.

which option

No change

questions smokeless

problem definition

No

comments

jeder soll selbe edtscheide wie er/ sie genisen will.

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

im verkauf wird es unheimlich schwierig diese vielvalt an produften zu unterscheiden. da kommt es ständig zu missverständnissen.

which option

No change

questions on reporting

problem definition

No

explanations

bei den pfeifentabaken wüden 95% der produkte wegfallen. das selbe bei zigitalillos. viele arbeitsplätze gehen verlorn. viele industrien sperren zu. ist auch der tod der kleinen geschäfte.

which option

No change

regulation of ingredients**problem definition**

No

explanations

arbeitslosigkeit würde dramatisch steigen. industrien und geschäfte müssen zusperren. da keine auswahl verfügbar ist.

which option

No Change

access to tobacco products**problem definition**

No

explanations

es gibt eh ein kinderschutz gesetz warum muss man auch den erwachsenen entwürdigen.

which option

No change

Government submission**identification****affiliation**

government

name

ATHANASIOS GEORGAKAKIS - VICE MAYOR OF AVDERA MUNICIPALITY OF XANTHI

email

info@avdera.gr

country

GREECE

gender

male

questions scope**problem definition**

Yes

which option

No change

**questions smokeless
problem definition**

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

ΔΕΝ ΛΕΙΤΟΥΡΓΟΥΝ ΣΩΣΤΑ ΟΙ ΑΠΟΚΡΟΥΣΤΙΚΕΣ ΕΙΚΟΝΕΣ

which option

No change

**questions on reporting
problem definition**

No

explanations

ΘΕΣΠΙΣΗ ΟΜΟΙΟΜΟΡΦΟΥ ΜΟΝΤΕΛΟΥ ΣΥΣΤΑΤΙΚΩΝ

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

ΑΠΟΔΕΙΞΗ ΤΗΣ ΕΛΚΥΣΤΙΚΟΤΗΤΑΣ ΚΑΙ ΕΘΙΣΤΙΚΟΤΗΤΑΣ ΜΕ ΕΠΙΣΤΗΜΟΝΙΚΕΣ
ΚΑΙ ΤΕΚΜΗΡΙΩΜΕΝΕΣ ΜΕΛΕΤΕΣ

which option

No Change

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission

identification

affiliation

government

name

EVANTHIA TSAKIRI MAYOR OF AVDERA MUNICIPALITY - XANTHI

email

info@avdera.gr

country

GREECE

gender

female

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

ΣΩΣΤΗ ΚΑΙ ΥΠΕΥΘΥΝΗ ΕΝΗΜΕΡΩΣΗ ΤΩΝ ΠΟΛΙΤΩΝ

which option

No change

questions on reporting

problem definition

No

explanations

ΟΙ ΑΝΑΦΟΡΕΣ ΠΡΕΠΕΙ ΝΑ ΔΙΝΟΝΤΑΙ ΞΕΧΩΡΙΣΤΑ ΑΠΟ ΤΑ ΜΕΛΗ ΤΗΣ Ε.Ε.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

ΔΕΝ ΥΠΑΡΧΕΙ ΚΑΜΙΑ ΑΠΟΔΕΙΞΗ ΟΤΙ ΤΑ ΣΥΣΤΑΤΙΚΑ ΑΥΞΑΝΟΥΝ ΤΗΝ ΕΘΙΣΤΙΚΟΤΗΤΑ ΤΩΝ ΠΡΟΪΟΝΤΩΝ ΤΟΥ ΚΑΠΝΟΥ

which option

No Change

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission**identification****affiliation**

government

name

Rainer Lipp

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country

Laden

questions scope**problem definition**

No

explanations

Was für Weltfrende Menschen sitzen denn da in Parlament. Ach das sind ja die, die in ihrem eigenem Land nichts mehr zu sagen haben. Die hat man nach Brüssel geschick.

which option

No change

recommend option

Löst das einfach auf und wir sparen viel Geld in Europa. Sonst machen die noch alles kaputt.

questions smokeless

problem definition

No

comments

kk

which option

No change

additional option

kk

questions consumer

problem definition

No

explanations

kk

which option

No change

questions on reporting

problem definition

No

explanations

kk

which option

No change

additional options

kk

regulation of ingredients

problem definition

No

explanations

kk

which option

No Change

additional option

kk

access to tobacco products

problem definition

No

explanations

kk

which option

No change

additional option

kk

Government submission

identification

affiliation

government

name

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country

Greece

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

Σωστή και υπεύθυνη ενημέρωση πάνω στα πακέτα καπνού

which option

No change

**questions on reporting
problem definition**

No

explanations

Εισαγωγή κοινού τύπου συστατικών σε επίπεδο Ε.Ε.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Δεν υπάρχει καμία απόδειξη ότι τα συστατικά αυξάνουν την εθιστικότητα των προϊόντων του καπνού

which option

No Change

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission

identification

affiliation

government

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country

Romania

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

• HWL-urile actuale sunt suficient de mari pentru a transmite mesajele privind sănătatea, deci consumatorii sunt conștienți de riscurile fumatului. • Există discrepanțe semnificative privind dimensiunea HWL-urilor în diferite state membre, care ar trebui supuse atenției deoarece acestea constituie o barieră comercială. • Romania a fost a 2-a țară după Belgia care a implementat pictogramele. Directiva ar trebui să urmărească în primul rând implementarea pictogramelor în versiunea curentă în cadrul UE (nu toate țările membre au implementat pictogramele), deci o uniformizare, în nici un caz de a crește dimensiunea lor. • Pachetele generice distrug mărcile comerciale protejate și, astfel, încalcă tratatele internaționale printre care acordul World Trade Organization privind Aspectele Comerciale ale Drepturilor de Proprietate Intelectuală Trade (TRIPs) precum și Convenția de la Paris pentru Protecția Proprietății Industriale. • Pachetele generice încalcă Decizia Curții Europene de Justiție din 2002 care a recunoscut că nu se poate expropria „chiar substanța” drepturilor de marcă ale producătorilor; • Nu există dovezi că, odată introduse pachetele generice fumătorii vor renunța la fumat. Pachetele generice vor contribui la proliferarea comerțului ilicit prin costul scăzut al contrafacerii pachetelor standard. Falsificatorii și contrabadiștii vor fi stimulați de ambalajele albe.

which option

No change

questions on reporting**problem definition**

No

explanations

Aplicarea prevederilor Directivei trebuie să rămână responsabilitatea statelor membre.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

• Interzicerea ingredientelor in produsele din tutun vor obstructiona producerea țigaretelor tradiționale cu amestec de tutun. Daca consumatorii prefera țigaretetele tradiționale din amestec de tutun altor țigaretete și devine ilegal sa comercializam acest tip de produs, consumatorii se vor orienta catre piața ilicită. În Romania, țigaretetele tradiționale din amestec de tutun au o cotă de piață de 99% din total piață țigaretete • Interzicerea ingredientelor care nu are o baza stiințifică obiectivă este restrictivă si reprezinta o bariera în calea comerțului precum si discriminatorie pentru producatorii care comercializeaza țigaretete tradiționale . • Interzicerea ingredientelor de asemenea încalcă „Tratatul Bariere Tehnice in calea Comertului „al Organizației Mondiale a Comețului

which option

No Change

access to tobacco products

problem definition

No

explanations

• Expunerea produselor la punctul de vanzare este un mijloc simplu de informare a consumatorilor adulți asupra a ceea ce este de vânzare și, de asemenea, oferă producătorilor oportunitatea de a concura corect. Interzicerea expunerii produselor la punctul de vanzare ar fi sfârșitul unei concurențe corecte, si va determina producatorii sa concureze la preț, ceea ce ar încalca cadrul de concurența în UE și în România. De asemenea ar ridica bariere la intrarea pe piata a unor noi jucatori in aceasta industrie.

which option

No change

Government submission

identification

affiliation

government

name

Robert Agafitei

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country

Romania

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

additional option

Interdicția asupra snus este nejustificată și trebuie ridicată. Există dovezi științifice semnificative, care demonstrează că snus este mult mai puțin nociv decât țigarele. Deși frecvența de utilizare a tutunului în Suedia este comparabilă cu cea din multe alte țări europene, Suedia are una dintre cele mai scăzute rate ale cancerului și cea mai redusă rată de mortalitate provocată de tutun din Europa

questions consumer

problem definition

No

explanations

• Nu există dovezi credibile că avertismentele de această dimensiune 75/100% ar avea vreun impact asupra consumului actual sau asupra incidenței fumatului la tineri. Beneficiile acestei măsuri fără precedent sunt cu totul speculative • Eliminarea tuturor logo-urilor, culorilor, graficelor de pe pachetul de țigări încalca drepturile de proprietate intelectuală, dreptul la libertatea de expresie comercială – Art 53, 45 & 135, 44 și 30 din Constituția Română. Exproprierea acestor drepturi de proprietate extrem de valoroase ale producătorilor ar încălca legislația și acordurile comerciale ale UE, precum și pe cele internaționale.

which option

No change

questions on reporting

problem definition

No

explanations

Aplicarea prevederilor Directivei trebuie să rămână responsabilitatea statelor membre.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

- Reglementarea ingredientelor trebuie sa se faca pe baze stiintifice, iar interzicerea unui/unor ingrediente sa sa faca numai in urma studiilor stiintifice care dovedesc ca acesta/acestea ar creste toxicitatea, inerenta de altfel, a fumului de tigara

which option

No Change

access to tobacco products

problem definition

No

explanations

- Interzicerea comerciantilor legali de a expune produsele din tutun la punctul de vanzare nu va contribui la reducerea incidentei fumatului ci va crea o bariera in calea comertului si va prolifera comertul ilicit.

which option

No change

Government submission

identification

affiliation

government

name

CONSEJERÍA DE AGRICULTURA Y DESARROLLO RURAL DE LA JUNTA DE EXTREMADURA. ESPAÑA.

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sayrm.dgpac@adr.juntaex.es

country

ESPAÑA

questions scope

problem definition

No

explanations

No es tan solo un problema sanitario sino un problema de regulación del mercado dentro y entre los Estados Miembros.

which option

No change

recommend option

SI. La revisión de la Directiva debería realizarse en dos fases. En la primera fase habría que comenzar catalogando todos los productos del tabaco que se comercializan en los Estados Miembros que debieran someterse a regulación alimentaria, identificando igualmente los productos de interés farmacéutico destinados a los tratamientos para el abandono del tabaquismo o productos del tabaco que para su consumo no exigieran combustión; podría permitirse a los Estados Miembros la toma de decisiones sobre estos productos. En una segunda fase, deberían ser tratados los productos del tabaco que requieren combustión para su consumo, puesto que para ellos sí podrían establecerse una normas comunes de comercialización y uso. En todo caso, debería contemplarse que los productos del tabaco obtenidos a partir de tabacos crudos obtenidos en las regiones productoras de la Unión Europea deben tener un tratamiento menos restrictivo que aquellos a los que se sometan a productos de países terceros en los que la legislación aplicable a la cadena de producción de la materia prima no tenga el mismo nivel de exigencias impuestas.

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional option

La opción 2 representa poder disminuir la población de fumadores pasivos, lo cual ya es una ventaja clara ya que no necesariamente el levantamiento de la prohibición conllevaría nuevos consumidores de productos de tabaco; sino que más bien; atendiendo a los condicionantes educacionales y sanitarios haría que el tabaco se convirtiera en un producto relacionado con una forma de consumo no evidente para aquellos que pudieran en un momento dado adoptar el hábito del consumo de tabaco de combustión.

questions consumer**problem definition**

Yes

which option

No change; Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

Todas son complementarias y de interés; convendría contemplar un periodo transitorio para la introducción de las mismas con carácter obligatorio. No obstante, no sería positivo la introducción de una cajetilla envases genéricos, por ejemplo, porque ello conllevaría a no diferenciación del producto; y no puede olvidarse el esfuerzo en mejora de la calidad que se ha realizado desde el sector productor de tabaco dentro del ámbito de la Unión Europea, claro ejemplo es Extremadura.

additional comments

SI; reforzar los contenidos de los programas educativos de formativos destinados a niños y jóvenes.

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional options

Es necesario armonizar y simplificar la notificación para garantizar la igualdad de tratamiento a los operadores en todos los Estados Miembros. La Opción 2 y la 3 aplicadas de manera conjunta serían eficaces.

additional comments

La vigilancia del contenido de las notificaciones y la aplicación del sistema de tasas y sanciones se debería desarrollar a través de una Agencia de la Unión que operara en todos los EEMM para garantizar la aplicación armonizada de estas disposiciones.

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

additional option

En todo caso, es requisito indispensable que cualquier regulación o restricción de ingredientes debe hacerse sobre la base de evidencia científica sólida así como establecer un mecanismo para la revisión de esas dos listas. En la lista negativa no deberían incluirse productos naturales que componen el tabaco y que requieren su restitución al perderse en el proceso de fabricación, por ejemplo los azúcares.

access to tobacco products**problem definition**

No

explanations

No se entiende la restricción en cuanto a la exposición del tabaco en los puntos de venta cuando ya de partida está reconocida la posibilidad de venta del producto.

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults

Government submission

identification

affiliation

government

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Lippert Elmar

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Austrai

age

53

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

No change

**questions consumer
problem definition**
Yes

which option
No change

**questions on reporting
problem definition**
Yes

which option
No change

**regulation of ingredients
problem definition**
Yes

which option
No Change

**access to tobacco products
problem definition**
Yes

which option
No change

Government submission

**identification
affiliation**
government

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BRAGA ERNESTO

email
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Italy

age
86

gender
male

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
No

comments
No scientific evidence concerning the risks related to smokeless tobacco products consumption.

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
No scientific evidence proving that bigger warnings determine a better knowledge of the suggested messages; no scientific evidence on the relation between the use of a particular graphic and the impact on consumers.

which option
No change

additional comments
The knowledge of how harmful tobacco would be is already of a high level, also on the basis of the existing warnings; no value added by the increase of information; negative impact on the fulfilments of sector's operators and of tobacco retailers; full aversion to plain packaging because of the confusion on manufacturers identification brands, with a consequent proliferation of illegal trade of counterfeited as well as smuggled products.

questions on reporting
problem definition
Yes

which option
Establish a common compulsory reporting format

regulation of ingredients
problem definition
No

explanations

It is not possible to prove in advance which is the possible impact of an ingredient in terms of toxicity; targeting lists in advance, positively or negatively, would be in contrast with this statement; risk of product standardisation with a consequent reduction of the principle of free market and the risk of increase of counterfeited products.

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

additional option

Sale to be carried out only within a network of specialized shops, provided with an appropriate license, which main activity is tobacco sale.

additional comments

There is no evidence of the correlation between display ban and consumption bent. In other experiences – see Canada – important loss have been recorded for the tobacco retailers: structural reorganization of the shop, higher management costs and important reduction of the profitability with the consequent risk of giving up the business. Also increasing of illegal products sale counterfeited and smuggled.

Government submission

identification

affiliation

government

name

LOZZI ADELE

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country

Italy

age

87

gender
female

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
No

comments
No scientific evidence concerning the risks related to smokeless tobacco products consumption.

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
No scientific evidence proving that bigger warnings determine a better knowledge of the suggested messages; no scientific evidence on the relation between the use of a particular graphic and the impact on consumers.

which option
No change

additional comments
The knowledge of how harmful tobacco would be is already of a high level, also on the basis of the existing warnings; no value added by the increase of information; negative impact on the fulfilments of sector's operators and of tobacco retailers; full aversion to plain packaging because of the confusion on manufacturers identification brands, with a consequent proliferation of illegal trade of counterfeited as well as smuggled products.

questions on reporting
problem definition
Yes

which option
Establish a common compulsory reporting format

regulation of ingredients
problem definition

No

explanations

It is not possible to prove in advance which is the possible impact of an ingredient in terms of toxicity; targeting lists in advance, positively or negatively, would be in contrast with this statement; risk of product standardisation with a consequent reduction of the principle of free market and the risk of increase of counterfeited products.

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

additional option

Sale to be carried out only within a network of specialized shops, provided with an appropriate license, which main activity is tobacco sale.

additional comments

There is no evidence of the correlation between display ban and consumption bent. In other experiences – see Canada – important loss have been recorded for the tobacco retailers: structural reorganization of the shop, higher management costs and important reduction of the profitability with the consequent risk of giving up the business. Also increasing of illegal products sale counterfeited and smuggled.

Government submission

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government

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GREECE

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56

gender
male

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
Οι πολίτες της Ευρωπαϊκής Ένωσης θα πρέπει να είναι σε θέση να λαμβάνουν από μόνοι τους αποφάσεις και όχι υπό την μορφή εξαναγκασμού.

which option
No change

questions on reporting
problem definition
No

explanations
Εισαγωγή κοινού τύπου συστατικών σε επίπεδο Ε.Ε.

which option
Establish a common compulsory reporting format

regulation of ingredients
problem definition
No

explanations
Δεν υπάρχει καμμία απόδειξη ότι τα συστατικά αυξάνουν την εθιστικότητα των προϊόντων του καπνού.

which option

No Change

access to tobacco products**problem definition**

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission**identification****affiliation**

government

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country

Derutschland

questions scope**problem definition**

Yes

which option

No change

recommend option

Nach unserer Auffassung sind die nationalen Regelungen vollkommen ausreichend. Es besteht die Befürchtung, dass mit einer Veränderung der Tabakproduktrichtlinie Arbeitsplätze in unserem Bezirk massiv gefährdet werden.

questions smokeless**problem definition**

Yes

which option

No change

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

additional comments

Wir halten die nationalen Regelungen für ausreichend.

Government submission

identification

affiliation

government

name

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country

Austria

age

39

gender
male

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
No change

questions consumer
problem definition
Yes

which option
No change

questions on reporting
problem definition
Yes

which option
No change

regulation of ingredients
problem definition
Yes

which option
No Change

access to tobacco products
problem definition
Yes

which option
No change

Government submission

identification

affiliation

government

name

Höbbel Kevin

email

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country

Germany

age

20

gender

male

questions scope**problem definition**

No

explanations

Ich rauche gerne !!!Und ich finde das es eine diskriminierung ist und ich finde das es jeder selbst entscheiden sollte !!!

which option

No change

recommend option

Ich finde es gibt keine option weil jeder soll das selbst entscheiden !!!

additional comments

Kein Komentar

questions smokeless**problem definition**

No

comments

Ich finde es einfach nur scheiße das die regierung immer nur auf so eine kacke kommt weil erstens bringt das noch mehr arbeitslose noch viel mehr kriminalität und warscheinlich auch noch steuererhöhung damit die uns noch geld aus der tasche ziehen können !!!

which option

No change

additional option

Kein Komentar

additional comments

Kein Kommentar

**questions consumer
problem definition**

No

explanations

Nein überhaupt nicht die machen sobieso nur scheiße aber die politiker rauchen selber aber sie wollen es verbieten wie bekloppt muss sein und ich bin mir sicher das für alle raucher spreche !!!

which option

No change

additional option

Es gibt keine option !!!

additional comments

Kein Kommentar

**questions on reporting
problem definition**

No

explanations

Nein bin ich nicht !!!

which option

No change

additional options

Kein Kommentar

additional comments

Kein Kommentar

**regulation of ingredients
problem definition**

No

explanations

Nein bin ich nicht

which option

No Change

additional option

Kein Kommentar

additional comments

Kein Kommentar

access to tobacco products**problem definition**

No

explanations

Nein weil ich bin leidenschaftlicher Raucher !!!

which option

No change

additional option

Kein Kommentar

additional comments

Kein Kommentar

Government submission**identification****affiliation**

government

name

Werginz Hilde

email

www.erginz.kaffee@aon.at

country

Austria

gender

female

questions scope**problem definition**

Yes

which option

No change

recommend option

Keine Änderungen!

questions smokeless

problem definition

No

comments

Keine Änderung

which option

Lifting the ban on snus

additional option

Keine Änderungen!

additional comments

Keine Änderungen!

questions consumer

problem definition

No

explanations

Keine Änderungen!

which option

No change

additional option

Keine Änderungen!

additional comments

Keine Änderungen

questions on reporting

problem definition

No

explanations

Keine Änderungen

which option

No change

additional options

Keine Änderungen

additional comments

Keine Änderungen

regulation of ingredients

problem definition

No

explanations

Keine Änderungen!

which option

No Change

additional option

Keine Änderungen

additional comments

Keine Änderungen!

access to tobacco products**problem definition**

No

explanations

Keine Änderungen!

which option

No change

additional option

Keine Änderungen!

additional comments

Keine Änderungen!

Government submission**identification****affiliation**

government

name

TOBACCO INSTITUTE OF GREECE

email

tig@otenet.gr

country

GREECE

questions scope**problem definition**

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

NO COMMENT

which option

No change

questions on reporting

problem definition

No

explanations

NO COMMENT

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

NO COMMENT

which option

No Change

access to tobacco products

problem definition

No

explanations

NO COMMENT

which option

No change

Government submission

identification

affiliation

government

name

morbitzers papershop

email

juttadieter.weber@t-online.de

country

germany

questions scope

problem definition

No

explanations

kein kommentar

which option

No change

questions smokeless

problem definition

No

comments

kein kommentar

which option

No change

questions consumer

problem definition

No

explanations

kein kommentar

which option

No change

questions on reporting

problem definition

No

explanations
kein kommentar

which option
No change

regulation of ingredients
problem definition
No

explanations
kein kommentar

which option
No Change

access to tobacco products
problem definition
No

explanations
kein kommentar

which option
No change

Government submission

identification
affiliation
government

name
y

email
yQ@d.ss

country
s

age
1

questions scope
problem definition
No

explanations

s

which option

No change

questions smokeless

problem definition

No

comments

s

which option

No change

questions consumer

problem definition

No

explanations

s

which option

No change

questions on reporting

problem definition

No

explanations

s

which option

No change

regulation of ingredients

problem definition

No

explanations

s

which option

No Change

additional option

w

additional comments

w

access to tobacco products

problem definition

No

explanations

w

which option

No change

additional option

w

additional comments

w

Government submission

identification

affiliation

government

name

horia cristian

email

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country

Romania

age

47

gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products

**questions on reporting
problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

Yes

which option

Introducing the basic criteria on the EU level without a common list

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission

identification

affiliation

government

name

CARAMAZZA GIUSEPPA

email

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country

Italy

age

57

gender

female

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

No

comments

No scientific evidence concerning the risks related to smokeless tobacco products consumption.

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

No scientific evidence proving that bigger warnings determine a better knowledge of the suggested messages; no scientific evidence on the relation between the use of a particular graphic and the impact on consumers.

which option

No change

additional comments

The knowledge of how harmful tobacco would be is already of a high level, also on the basis of the existing warnings; no value added by the increase of information; negative impact on the fulfilments of sector's operators and of tobacco retailers; full aversion to plain packaging because of the confusion on manufacturers identification brands, with a consequent proliferation of illegal trade of counterfeited as well as smuggled products.

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

It is not possible to prove in advance which is the possible impact of an ingredient in terms of toxicity; targeting lists in advance, positively or negatively, would be in contrast with this statement; risk of product standardisation with a consequent reduction of the principle of free market and the risk of increase of counterfeited products.

which option

No Change

access to tobacco products**problem definition**

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

additional option

Sale to be carried out only within a network of specialized shops, provided with an appropriate license, which main activity is tobacco sale.

additional comments

There is no evidence of the correlation between display ban and consumption bent. In other experiences – see Canada – important loss have been recorded for the tobacco retailers: structural reorganization of the shop, higher management costs and important reduction of the profitability with the consequent risk of giving up the business. Also increasing of illegal products sale counterfeited and smuggled.

Government submission**identification****affiliation**

government

name

CIPOLLA CALOGERO

email

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country

Italy

age

61

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

No

comments

No scientific evidence concerning the risks related to smokeless tobacco products consumption.

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

No scientific evidence proving that bigger warnings determine a better knowledge of the suggested messages; no scientific evidence on the relation between the use of a particular graphic and the impact on consumers.

which option

No change

additional comments

The knowledge of how harmful tobacco would be is already of a high level, also on the basis of the existing warnings; no value added by the increase of information; negative impact on

the fulfilments of sector's operators and of tobacco retailers; full aversion to plain packaging because of the confusion on manufacturers identification brands, with a consequent proliferation of illegal trade of counterfeited as well as smuggled products.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

It is not possible to prove in advance which is the possible impact of an ingredient in terms of toxicity; targeting lists in advance, positively or negatively, would be in contrast with this statement; risk of product standardisation with a consequent reduction of the principle of free market and the risk of increase of counterfeited products.

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change; Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

additional option

Sale to be carried out only within a network of specialized shops, provided with an appropriate license, which main activity is tobacco sale.

additional comments

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Government submission

identification**affiliation**

government

name

Florian Jaros

email

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country

Austria

age

25

gender

male

questions scope**problem definition**

No

explanations

Smoking is not the main problem in our time! The EU should care for other things like climate-change, integration, defend criminal activities and corruptcy and don't tell everybody what we have to do! This is not a dictatory!!!! Care about your own problems and let the others do what they ever did!

which option

No change

additional comments

Surely smoking makes addictive same as coffee, shopping, phoning, sex and facebook! When will you begin to criminalize all those other things???

questions smokeless**problem definition**

No

which option

No change

questions consumer**problem definition**

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

No

explanations

let it as it is!!

which option

No Change

access to tobacco products

problem definition

No

explanations

if you want to smoke cigarettes, cigars or what ever you will even get it!

which option

No change

Government submission

identification

affiliation

government

name

Folz Uwe

email

lottofolz@aol.com

country

Köln

questions scope

problem definition

Yes

which option

No change

**questions smokeless
problem definition**

Yes

which option

No change

**questions consumer
problem definition**

Yes

which option

No change; Improve consumer information

**questions on reporting
problem definition**

Yes

which option

No change

**regulation of ingredients
problem definition**

Yes

which option

No Change

**access to tobacco products
problem definition**

Yes

which option

No change

Government submission

**identification
affiliation**

government

name

Stefano Trisciuglio

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country
Österreich

age
40

gender
male

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
No change

questions consumer
problem definition
Yes

which option
No change

questions on reporting
problem definition
Yes

which option
No change

regulation of ingredients
problem definition
Yes

which option
No Change

access to tobacco products
problem definition
Yes

which option

No change

Government submission

identification

affiliation

government

name

Josef zangerle

email

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country

Austria

age

39

gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

name

ΚΑΡΙΩΤΗΣ ΓΕΩΡΓΙΟΣ ΔΗΜΑΡΧΟΣ Δ. ΝΙΚΗΦΟΡΟΥ ΔΡΑΜΑΣ

email

dnikiforosdrama@yahoo.gr

country

ΕΛΛΑΔΑ

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

ΔΕΝ ΛΕΙΤΟΥΡΓΟΥΝ ΣΩΣΤΑ ΟΙ ΑΠΟΚΡΟΥΣΤΙΚΕΣ ΕΙΚΟΝΕΣ

which option

No change

**questions on reporting
problem definition**

No

explanations

ΘΕΣΠΙΣΗ ΟΜΟΙΟΜΟΡΦΟΥ ΜΟΝΤΕΛΟΥ ΣΥΣΤΑΤΙΚΩΝ

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

ΔΕΝ ΜΠΟΡΕΙ ΝΑ ΕΞΑΧΘΕΙ ΣΑΦΕΣ ΣΥΜΠΕΡΑΣΜΑ ΩΣ ΠΡΟΣ ΤΟΝ ΡΟΛΟ ΠΟΥ ΠΑΙΖΟΥΝ ΣΤΟ ΝΑ ΚΑΤΑΣΤΗΣΟΥΝ ΕΛΚΥΣΤΙΚΑ ΤΑ ΠΡΟΪΟΝΤΑ ΚΑΠΝΟΥ

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

name

Torsten Schack Pedersen

email

vtope@ft.dk

country

Denmark

age

34

gender

male

questions scope**problem definition**

Yes

which option

No change

recommend option

In my opinion we should not prohibit new tobacco-based products for the single reason that they are a new product. As a liberal politician it is important for me to stress the respect for the individual freedom and the individuals responsibility for their own health, also when it concern tobacco legalisation.

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional option

To my knowledge snus is almost an institution in Sweden, which actually makes the total use of tobacco almost the same as in Denmark but still in Sweden people live longer and for instance is the cancer rate much lower than in Denmark

questions consumer**problem definition**

No

explanations

All smokers are aware of the health risk and no graphical setup can take the focus away from this. Plain packaging is from my point of view a step in the wrong direction. In a free market all manufacturers of legal products have the rights to promote their specific brand, and a minimum must be that they can diverse in appearance. I have full confidence in the consumers and their indisputable right to be responsible for their actions and choices.

which option

No change

**questions on reporting
problem definition**

No

explanations

I don't think this is not a job for EU.

which option

Establish a common compulsory reporting format

additional options

In my opinion it might be a good idea to establish a common reporting format.

regulation of ingredients

problem definition

Yes

which option

No Change

additional option

I do not believe that the proposed options make it possible to create such lists solely based on toxicity.

additional comments

I agree with the problem definition, but I do not believe, that ingredients should be banned based on attractiveness.

access to tobacco products

problem definition

No

explanations

It essential in a free market, that manufacturers can show their products to the customers in order to provide them with a choice. Tobacco products are created for adults, and such products should be allowed to be displayed. This is not the direction I want to follow and as a liberal individual I see this as a first step towards a society where all products which in the specific time and place are looked down upon – alcohol could be next - should be hidden under the counter. Furthermore I fear that a legislation banning the display of tobacco products will create a bigger market for illegal products as it is easier to hind the illegal products below the counter or in cabinets.

which option

No change

Government submission

identification**affiliation**

government

name

ΑΝΑΣΤΑΣΙΟΣ ΧΑΤΖΗΛΑΖΑΡΟΥ - ΔΗΜΑΡΧΟΣ ΔΟΞΑΤΟΥ

email

info@doxato.gr

country

ΕΛΛΑΔΑ

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Οι πολίτες της Ε.Ε. θα πρέπει να είναι σε θέση να λαμβάνουν από μόνοι τους αποφάσεις και πληροφορίες σχετικά με τους κινδύνους που διατρέχουν από την κατανάλωση των προϊόντων

which option

No change

questions on reporting**problem definition**

No

explanations

Εισαγωγή κοινού τύπου συστατικών σε επίπεδο Ε.Ε.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Εισαγωγή κοινού τύπου συστατικών στην Ε.Ε.

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

name

Θωμάς Μαργαρίτης Δήμαρχος Δράμας

email

grafdhm@gmail.com.

country

Ελλάδα

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

Σωστή & υπεύθυνη ενημέρωση πάνω στα πακέτα

which option

No change

**questions on reporting
problem definition**

No

explanations

Εισαγωγή κοινού τύπου συστατικών σε επίπεδο ΕΕ

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

Εισαγωγή κοινού τύπου συστατικών σε επίπεδο ΕΕ

which option

No Change

**access to tobacco products
problem definition**

Yes

which option

No change

Government submission

identification

affiliation

government

name

ΘΕΟΔΩΡΟΣ ΑΘΑΝΑΣΙΑΔΗΣ (ΔΗΜΑΡΧΟΣ ΣΙΤΑΓΩΝ Ν. ΔΡΑΜΑΣ)

email

dimos.sitagron@0882.syzefxis.gov.gr

country

ΕΛΛΑΔΑ

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

ΣΩΣΤΗ ΚΑΙ ΥΠΕΥΘΥΝΗ ΕΝΗΜΕΡΩΣΗ ΠΑΝΩ ΣΤΑ ΠΑΚΕΤΑ

which option

No change

questions on reporting**problem definition**

No

explanations

ΕΙΣΑΓΩΓΗ ΚΟΙΝΟΥ ΤΥΠΟΥ ΣΥΣΤΑΤΙΚΩΝ ΣΕ ΕΠΙΠΕΔΟ Ε.Ε.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

ΑΠΟΔΕΙΞΗ ΤΗΣ ΕΛΚΥΣΤΙΚΟΤΗΤΑΣ ΚΑΙ ΕΘΙΣΤΙΚΟΤΗΤΑΣ ΜΕ ΕΠΙΣΤΗΜΟΝΙΚΕΣ

ΜΕΛΕΤΕΣ

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

name

Φατράλης Βασίλειος (Δήμαρχος Δ Προσοτσάνης Ν. Δράμας)

email

info@prosotsani.gr

country

Ελλάδα

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Οι πολίτες της Ε.Ε θα πρέπει να είναι σε θέση να λαμβάνουν από μόνοι τους αποφάσεις και όχι υπό την μορφή εξαναγκασμού και φόβου

which option

No change

questions on reporting**problem definition**

No

explanations

Οι αναφορές πρέπει να δίνονται ξεχωριστά από τα Μέλη της Ε.Ε

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Δεν μπορεί να εξαχθεί σαφές συμπέρασμα ως προς τον ρόλο που παίζουν στο να καταστήσουν ελκυστικά τα προϊόντα καπνού.

which option

No Change

access to tobacco products**problem definition**

Yes

which option

No change

Government submission**identification****affiliation**

government

name

Tudor Chiuariu

email

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country

Romania

age

34

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

additional option

Interdictia asupra snus este nejustificata si trebuie ridicata. Exista dovezi stiintifice semnificative care demonstreaza ca snus este mult mai putin nociv decat tigarelele.

questions consumer

problem definition

No

explanations

Nu exista dovezi stiintifice cum ca avertismentele mai mari sunt mai eficiente. nu exista dovezi stiintifice ca marirea avertismentelor ar diminua incidenta fumatului. • măsura de a crește dimensiunea la 75/100 față și spate ar încălca drepturile de proprietate intelectuală ale producătorilor 75/100 HWL . In plus lasă producătorilor spațiu insuficient pentru a afișa numele de marcă și logo-ul, ceea ce este echivalent cu ambalajul generic și încălcă drepturile de proprietate intelectuală a producătorilor. De asemenea, avertismentele de 100% de pe spatele pachetului, dacă ar exista vor fi parțial acoperite de timbrul fiscal. • HWL-urile actuale sunt suficient de mari pentru a transmite mesajele privind sănătatea, deci consumatorii sunt conștienți de riscurile fumatului. • Există discrepanțe semnificative privind dimensiunea HWL-urilor în diferite state membre, care ar trebui supuse atenției deoarece acestea constituie o barieră comercială. • Romania a fost a 2-a tara dupa Belgia care a implementat pictogramele . Directiva ar trebui sa urmareasca in primul rand implementarea pictogramelor in versiunea curenta in cadrul UE (nu toate tarile membre au implementat pictogramele) , deci o uniformizare , in nici un caz de a creste dimensiunea lor. • Nu există nicio dovadă că ambalajele simple ar îmbunătăți funcționarea pieței interne sau că ar contribui la îndeplinirea obiectivului de sănătate publică. • Eliminarea tuturor logo-urilor, culorilor, graficelor de pe pachetul de țigări incalca drepturile de proprietate intelectuala, dreptul la libertatea de expresie comerciala – Art 53, 45 & 135, 44 si 30 din Constitutia Romana. Exproprierea acestor drepturi de proprietate extrem de valoroase ale producătorilor ar încălca legislația și

acordurile comerciale ale UE, precum și pe cele internaționale. • Pachetele generice distrug mărcile comerciale protejate și, astfel, încalcă tratatele internaționale printre care acordul World Trade Organization privind Aspectele Comerciale ale Drepturilor de Proprietate Intelectuală Trade (TRIPs) precum și Convenția de la Paris pentru Protecția Proprietății Industriale. • Pachetele generice încalcă Decizia Curții Europene de Justiție din 2002 care a recunoscut că nu se poate expropria „chiar substanța” drepturilor de marcă ale producătorilor; • Nu există dovezi că, odata introduse pachetele generice fumatorii vor renunța la fumat Pachetele generice vor contribui la proliferarea comerțului ilicit prin costul scăzut al contrafacerii pachetelor standard. Falsificatorii și contrabadiștii vor fi stimulați de ambalajele albe. • Pachetele generice vor crește comerțul ilicit ceea ce înseamnă mai puține venituri la bugetul de stat pentru guvern, mai puține venituri pentru comercianții legitimi și mai multe venituri pentru rețelele infracționale. • Dacă se implementează pachetele generice piața ilicită a ambalajelor marcate va înflori. Atunci când vor avea de ales între pachetele generice și cele de contrabanda, dar cu marca, fumatorii vor alege produsele cu marca pentru că aceasta va crea impresia de produs original și de calitate. • Pentru infractori ar fi mai ușor să copieze mărcile legitime, iar aceasta ar conduce la o creștere a vânzărilor ilegale de țigarete. • Introducerea pachetelor generice va favoriza substanțial vânzarea și consumul produselor contrafacute;

which option

No change

questions on reporting

problem definition

No

explanations

Statele membre pot introduce deja taxe și sancțiuni. Aplicarea prevederilor Directivei trebuie să rămână responsabilitatea statelor membre

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

• Reglementarea ingredientelor trebuie să se facă pe baze științifice, iar interzicerea unui/unor ingrediente să se facă numai în urma studiilor științifice care dovedesc că acesta/acestea ar crește toxicitatea, inerentă de altfel, a fumului de țigară. • Producătorilor ar trebui să le fie permis să folosească ingrediente în produsele lor de tutun atâta vreme cât acestea nu cresc toxicitatea, inerentă fumului de țigară. • Interzicerea ingredientelor în produsele din tutun vor obstrucționa producerea țigaretelor tradiționale cu amestec de tutun. Dacă consumatorii prefera țigaretelile tradiționale din amestec de tutun altor țigaretel și devine ilegal să comercializăm acest tip de produs, consumatorii se vor orienta către piața ilicită. În România, țigaretelile tradiționale din amestec de tutun au o cotă de piață de 99% din total piață țigaretel. • Interzicerea ingredientelor în produsele din tutun vor obstrucționa producerea țigaretelor tradiționale, un segment care acoperă peste 75% din piața globală a țigaretelor. • • Interzicerea ingredientelor care nu are o bază științifică obiectivă este restrictivă și reprezintă

o bariera în calea comerțului precum și discriminatorie pentru producătorii care comercializează țigărele tradiționale . • Interzicerea ingredientelor de asemenea încalcă „Tratatul Bariere Tehnice în calea Comerțului „al Organizației Mondiale a Comerțului.

which option

No Change

access to tobacco products

problem definition

No

explanations

• Nu există nicio dovadă în sensul că restricțiile ar îmbunătăți funcționarea pieței interne sau ar contribui la îndeplinirea obiectivelor de sănătate publică. • Interzicerea comercianților legali de a expune produsele din tutun la punctul de vânzare nu va contribui la reducerea incidentei fumatului ci va crea o bariera în calea comerțului și va prolifera comerțul ilicit. • Expunerea produselor la punctul de vânzare este un mijloc simplu de informare a consumatorilor adulți asupra a ceea ce este de vânzare și, de asemenea, oferă producătorilor oportunitatea de a concura corect. Interzicerea expunerii produselor la punctul de vânzare ar fi sfârșitul unei concurențe corecte, și va determina producătorii să concureze la preț, ceea ce ar încălca cadrul de concurență în UE și în România. De asemenea ar ridica bariere la intrarea pe piața a unor noi jucători în această industrie. • Interzicerea expunerii produsului, va face practic imposibilă introducerea pe orice piață din UE a unor mărci noi (imposibilitatea de a le comunica la punctul de vânzare). Politica privind concurența corectă în UE și piața unică au fost create tocmai pentru a elimina astfel de bariere comerciale și a pune capăt practicilor anterioare care favorizau jucătorii naționali sau stabili pe piața în defavoarea noilor intrări . • “Ascunderea” produselor din tutun “sub tejghea” presupune și “ascunderea” lor de autorități care aplică legea. Interzicerea afișării produsului va ușura infiltrarea grupurilor criminale pe canalul comerțului legal sub forma contrabandei și produselor contrafăcute iar aceasta situație va face mandatul autoritatilor cu rol de control foarte dificil. • Nu există dovezi că interzicerea expunerii produselor la punctul de vânzare va reduce incidenta fumatului. • Extinderea acestui tip de obstacol comercial în întreaga Comunitate ar împiedica buna funcționare a pieței interne, ceea ce ar fi contrar obiectivelor Tratatului CE și ale TPD. În revizuirea din 2007 a pieței unice, Comisia a explicat că “Politica concurențială a UE protejează crează condițiile ce permit piețelor funcționarea competitivă pentru beneficiul consumatorilor și a afacerilor. Politica concurențială asigură că există competiție nedistorsionată în UE, în special prin eliminarea și prevenirea barierelor de stat și private din fața competiției.” • U.E. a reglementat deja promovarea produselor din tutun în zone care au un efect transfrontalier – publicitate, TV, radio și internet. Interzicând sau restricționând afișarea produsului la punctul de vânzare în U.E. nu va conduce la îmbunătățirea pieței interne și drept consecință nu ar trebui reglementat de către U.E. • În niciun caz, U.E. nu ar trebui să reglementeze vânzarile în două Directive diferite. Dacă U.E. dorește ca regulile curente referitoare la vânzarea produsului cu efecte transfrontaliere, ar trebui să o facă prin amendarea Directivei ce interzice promovarea produselor din tutun. • U.E. a încercat deja să-și extindă competențele în materie de publicitate în prima Directivă ce interzice publicitatea la produsele din tutun, iar acest lucru nu a fost acceptat de către Curtea Europeană de Justiție. Nu există nici un motiv să credem că situația s-a schimbat și că acum U.E. ar avea competențe în această materie.

which option

No change

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country

Spain

questions scope

problem definition

Yes

which option

No change

recommend option

Extender el ámbito de aplicación en una Directiva, o en cualesquiera norma, a otros productos siempre tiene que estar fundada en bases científicas sólidas y respaldada por evaluaciones científicas de metodología adecuada. La extensión del ámbito no puede sobrevenir en una prohibición automática para toda una categoría de nuevos productos, con la única racional básica de tratarse de nuevos productos.

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

additional option

Levantar la prohibición de snus. Algunas autoridades sanitarias reconocen que el snus es menos perjudicial que los cigarrillos convencionales

questions consumer

problem definition

No

explanations

Incrementar el tamaño de las advertencias no las convierte a éstas en más efectivas. Es ridículo pensar que un mayor tamaño desincentivará la compra, o contribuirá a comunicar unos riesgos de salud que, a día de hoy, son perfectamente conocidos por cualquier ciudadano

europeo. En el caso español de la introducción de las advertencias sanitarias escritas, el único efecto reconocido por la medida fue asegurar un mensaje sanitario sólido y consistente de los riesgos de fumar. El empaquetado genérico, contradice la protección generalmente concedida a los derechos de propiedad industrial e intelectual. La expropiación de estos derechos de propiedad extremadamente valiosos para las compañías constituiría una vulneración del Derecho nacional, el Derecho comunitario, el Derecho internacional y los Convenios de comercio, y exigiría una indemnización por los derechos expropiados. Esta propuesta no está respaldada por pruebas que demuestren que se reduciría el consumo ni que se lograrían otros objetivos de salud pública. Al contrario, el empaquetado genérico alentaría una competencia de precios que resultaría en productos del tabaco más baratos y que estimularía el comercio ilícito al hacer más fácil y barato para los falsificadores copiar el empaquetado estandarizado. No hay pruebas de que los consumidores dejarán de fumar en lugar de comprar paquetes genéricos o de buscar otras fuentes alternativas de suministro de tabaco . Desde mi punto de vista, son cambios más idóneos la prevención, educación y financiación de los tratamientos de deshabituación tabáquica.

which option

No change

questions on reporting

problem definition

No

explanations

Es y debe mantenerse como competencia exclusiva de los Estados Miembros (algunos ya han hecho desarrollo de la misma)

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

El foco debe ponerse en el estudio de los ingredientes individualmente Vs potencial incremento de la toxicidad/adictividad. La misma Comisión Europea ha reconocido la falta de evidencia científica en este campo tan desconocido y poco estudiado. Cualquier regulación sobre aditivos/ingredientes de los productos del tabaco debe desarrollarse mediando "base científica sólida" que la sustente y, además, aplicando un enfoque integral a la problemática regulatoria. Debe tomarse en consideración aspectos tales como: impacto negativo que tendrá en nuestros cultivos de tabaco europeos (20.000 familias extremeñas, 14.000 estanqueros y miles de empleados en el sector fabricante y mayorista nacional y europeo) y en el ámbito del comercio internacional al excluir un producto y un cultivo de los circuitos de comercio. En este sentido la OMC se ha manifestado contraria a la regulación Canadiense C-32 de prohibición de ingredientes en el tabaco por considerarla una barrera técnica al libre comercio de un cultivo y de un producto.

which option

No Change

access to tobacco products**problem definition**

No

explanations

La prohibición de venta a través de máquinas expendedoras, no mejorará el funcionamiento del mercado interior, ni contribuirá a la consecución de los objetivos sanitarios. Además, en España generará una grave situación de desabastecimiento del mercado que sería sustituido por un nuevo canal alternativo de distribución ilegal. La prohibición de la exposición de los productos pondría fin a toda competencia que no fuera a través de los precios, y haría prácticamente imposible la introducción de nuevas marcas y la entrada en el mercado de nuevos fabricantes. Además, es evidente que la colocación de los productos de tabaco bajo el mostrador facilitará la infiltración de los delincuentes en el canal de comercialización legítimo con paquetes falsos y de contrabando. En lugar de evitar que los consumidores y las autoridades puedan ver los productos de tabaco, existen medidas suficientemente probadas de lograr los objetivos de salud pública y que todavía no están vigentes en muchos países. Entre ellas cabe señalar como impuestos mínimos, campañas de información a gran escala sobre los graves efectos del consumo de tabaco sobre la salud. Las áreas claves son. prevención, educación y financiación de los tratamientos de deshabituación tabáquica. En el caso específico español, la exposición del producto y/o la publicidad esta rigurosamente regulada y solo admitida en monopolio minorista de tabaco (estancos), canal especializado al que solo adultos mayores de edad para comprar su producto.

which option

No change

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country

Spain

questions scope**problem definition**

Yes

which option

No change

recommend option

La extensión del ámbito de aplicación a otros productos tiene que estar fundada en bases científicas sólidas y, además, respaldada por evaluaciones científicas de metodología adecuada. La extensión del ámbito no puede suponer, “de facto”, una prohibición automática para toda una categoría de nuevos productos por el simple hecho de ser nuevos

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional comments

La prohibición en snus no esta justificada en base científica sólida

questions consumer**problem definition**

No

explanations

Incrementar el tamaño de las advertencias no las convierte a éstas en más efectivas. Es ridículo pensar que un mayor tamaño desincentivará la compra, o contribuirá a comunicar unos riesgos de salud que, a día de hoy, son perfectamente conocidos por cualquier ciudadano europeo. Sirva de ejemplo, el caso de Bélgica (primer país UE donde se introducen los pictogramas) y según el eurobarómetro mantuvo niveles iguales o casi idénticos de incidencias a pesar de la entrada en vigor de la medida. El empaquetado genérico, conculca los derechos de propiedad industrial e intelectual. La expropiación de estos derechos de propiedad extremadamente valiosos constituiría una vulneración del Derecho nacional, el Derecho comunitario, el Derecho internacional y los Convenios de comercio, y exigiría una indemnización por los derechos expropiados. Un valor importantísimo para las compañías son sus marca (intangibles que de acuerdo a las nuevas NIC tiene un enorme valor contable) Esta propuesta no está respaldada por pruebas que demuestren que se reduciría el consumo ni que se lograrían otros objetivos de salud pública. Al contrario, el empaquetado genérico alentaría una competencia de precios que resultaría en productos del tabaco más baratos y que estimularía el comercio ilícito al hacer más fácil y barato para los falsificadores copiar el empaquetado estandarizado. Además, no hay pruebas de que los consumidores dejarán de fumar en lugar de comprar paquetes genéricos o de buscar otras fuentes alternativas de suministro de tabaco. Por último, subrayar lo sorprendente de que en lugar de utilizar métodos probados de disuasión del consumo de tabaco, especialmente entre los jóvenes, se proponga esta medida drástica y basada en especulaciones.

which option

No change

questions on reporting**problem definition**

No

explanations

La competencia, en este caso, es exclusiva de los Estados Miembros de la UE

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

El foco debe ponerse, con carácter previo, en el análisis y estudio riguroso de los ingredientes individualmente Vs potencial incremento de la toxicidad. Cosa que a día de hoy no ha sido suficientemente explorada (así lo reconoce la propia Comisión Europea) No se pueden impulsar regulaciones europeas en una materia tan complicada como los aditivos/ingredientes de los productos del tabaco, sin mediar una base científica sólida y sin, además, desarrollar un enfoque integral de la problemática regulatoria, ignorando aspectos tan importantes como: i) impacto negativo que tendrá en nuestros cultivos de tabaco europeos y en el conjunto de la cadena de valor (20.000 familias extremeñas, 14.000 estancieros y miles de empleados en el sector fabricante y mayorista nacional y europeo) ii) en el ámbito del comercio internacional al excluir un producto y un cultivo de los circuitos de comercio. iii) en los derechos del consumidor y en la propia salud pública europea

which option

No Change

access to tobacco products**problem definition**

No

explanations

La prohibición de venta a través de máquinas expendedoras, no mejorará el funcionamiento del mercado interior, ni contribuirá a la consecución de los objetivos sanitarios. En España, además, generará una grave situación de desabastecimiento del mercado que será suplida por un nuevo canal alternativo de distribución ilegal (coste oportunidad). En cuanto a la prohibición de exposición de los paquetes, está es un medio de informar a los consumidores de lo que está a la venta y brinda a los fabricantes la oportunidad de competir mediante la exposición de los productos que llevan su marca, que comunican la calidad y las características del producto. La prohibición de la exposición de los productos restringe, o anula, la libre competencia haciendod prácticamente imposible la introducción de nuevas marcas y la entrada en el mercado de nuevos fabricantes. También una medida de este estilo promoverá que la competencia en el mercado sea sólo via precios bajos Además, es evidente que la colocación de los productos de tabaco bajo el mostrador facilitará la infiltración de los delincuentes en el canal de comercialización legítimo con paquetes falsos y de contrabando. El contrabando y falsificado de productos del tabaco ya fue, en el pasado, una lacra en España que mermó la recaudación por labores del tabaco y, al mismo tiempo, impacto negativamente en términos de asegurar consumos de productos con todos los controles fabriles y sanitarios (productos genuinos) y no consumos de productos adulterados (la guardia civil en sus análisis de productos falsificados de tabaco encontró restos de estiercol de conejo). En lugar de evitar que los consumidores y las autoridades puedan ver los productos de tabaco, existen medidas

suficientemente probadas de lograr los objetivos de salud pública y que todavía no están vigentes en muchos países. Entre ellas , medidas fiscales como impuestos mínimos y campañas de información a gran escala sobre los graves efectos del consumo de tabaco sobre la salud. En el caso específico español, la exposición del producto y/o la publicidad esta rigurosamente regulada y solo admitida en monopolio minorista de tabaco (estancos), canal especializado al que solo adultos mayores de edad para comprar su producto.

which option

No change

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gender

male

questions scope

problem definition

No

explanations

kein kommentar

which option

No change

recommend option

kein kommentar

additional comments

kein kommentar

questions smokeless

problem definition

No

comments

kein kommentar

which option

No change

additional option

kein kommentar

additional comments

kein kommentar

questions consumer

problem definition

No

explanations

kein kommentar

which option

No change

additional option

kein kommentar

additional comments

kein kommentar

questions on reporting

problem definition

No

explanations

kein kommentar

which option

No change

additional options

kein kommentar

additional comments

kein kommentar

regulation of ingredients

problem definition

No

explanations

kein kommentar

which option

No Change

additional option

kein kommentar

additional comments

kein kommentar

access to tobacco products**problem definition**

No

explanations

kein kommentar

which option

No change

additional option

kein kommentar

additional comments

kein kommentar

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Government submission

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questions scope

problem definition

Yes

which option

Extend the scope of the Directive

recommend option

Helst av allt skulle jag vilja förbjuda tobaken helt, men om det inte går så skulle allmänheten reagera lika starkt på att ungdomar röker som när en kille/tjej skär sig i armen med ett rakblad. Vi har accepterat att ungdomar röker. Vi får inte beslagta drogen eftersom den anses som "mild". Polis kan hålla ut alkohol för ungdomar. De skulle få göra det samma med cigaretter. Belöna de som berättar vilka som säljer till ungdomar. Gör det lättare för Kommunen att göra handelsstopp. Idag krävs så mycket bevisning att det inte är någon idé. Se till så inga livsmedelsaffärer får sälja tobaksvaror. Licensiera tobakshandlare. Höj straffsatsen och böter på de som säljer till minderåriga. Ge inte snuset en chans i EU! Nikotinhaltarna är så höga att de borde förbjudas. Barn och ungdomar är 90% av tobaksindustrins framtida kunder. Det är ofattbart att vi vuxna inte kan få ett stopp på tobaken när vi ser att det är 90% av barnen som börjar. Om nu tobaksbolagen är så måna om att följa 18-årsgränsen så skulle böter utdömas direkt från tobaksbolagen om ungdomar får tag på tobaksvaror via deras återförsäljare. Svenska Spel beslagtar apparaterna ifall det missbrukas. Tobaksbolagen skulle dra in handeln helt och sluta leverera till kunden på grund av lagbrott. Då skulle ansvaret läggas på tobaksbolagen och mindre på tobakshandlaren, men båda skulle ha ett straffansvar. Höga böter.

additional comments

Vi vuxna har ansvar för våra barn och ungdomar. Det är starka krafter som vill att barn och ungdomar ska börja andas in brandrök med ett nervgift (nikotin) eller börja med ännu högre

halter nervgift under läppen och kalla det för kultur. Man lanserar "fair trade"-cigaretter och att plantorna inte är besprutade. Snart kommer säkert vitaminberikade tobaksvaror också! Det måste bli ett slut på detta! Jag tycker alla förslag som gör det svårare för tobaken att nå ut är bra, men det är fortfarande ofattbart att vi inte kan förbjuda den. Halon-släckarna, som var förmodligen världens bästa släckmedel, förbjöds för att det skadade ozonskiktet. Tobak dödar 5,4 miljoner människor varje år och vi kan inte stoppa det. Neutronbomben förbjöds. Dumdum-kulor har förbjudits för att de skadade folk för mycket. Tobaken dödar år ut och år in och snuset förslavar ungdomar tidigt och öppnar upp för stresssjukdomar. Vi gör vad vi kan för att göra tobak oattraktivt, men jag tycker att för varje barn/ungdom som börjar röka eller snusa så ska de "ansvarsfulla" tobaksbolagen få betala för det. De ska erbjuda barn och ungdomar rök och snusavvänjning gratis eftersom de är så angelägna att det bara ska vara vuxna som ska använda deras produkter. De ska själva spåra upp handlare som säljer tobak till minderåriga och sluta sälja till dem. Vill de ta ansvar så ska de ta ansvar också. Aktieägare ska veta när de placerar sina pengar i tobaksindustrin att det är barn/ungdomar som är 90% av deras framtida kunder. Varningstexter ska komma fram vid köp. Högre courtage vid köp av dessa aktier som går till sjukvårdsinsatser eller stöd till odlarna att kunna odla annat än tobak. Precis som vi idag har utsläppsrätter vid köp av resor så skulle både aktiehandlare och tobaksbolag få betala mer.

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

additional option

Förbjud snuset.

questions consumer

problem definition

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access; Ban

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Tobacco display and promotion at points of sales to be restricted

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

Government submission**identification****affiliation**

government

name

Dirk Kopplin

email

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country

Deutschland

questions scope**problem definition**

No

explanations

kein Kommentar

which option

No change

**questions smokeless
problem definition**

No

comments

kein Kommentar

which option

No change

**questions consumer
problem definition**

No

explanations

kein Kommentar

which option

No change

**questions on reporting
problem definition**

No

explanations

kein Kommentar

which option

No change

**regulation of ingredients
problem definition**

No

explanations

kein Kommentar

which option

No Change

**access to tobacco products
problem definition**

No

explanations

kein Kommentar

which option

No change

Government submission

identification

affiliation

government

name

KADI ISMET (Municipality of Sosti,Greece)

email

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country

GREECE

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

ΣΩΣΤΗ ΚΑΙ ΥΠΕΥΘΥΝΗ ΕΝΗΜΕΡΩΣΗ ΟΧΙ ΕΚΦΟΒΙΣΜΟΣ

which option

No change

questions on reporting

problem definition

No

explanations

Η ΕΦΑΡΜΟΓΗ ΑΥΤΩΝ ΤΩΝ ΡΥΘΜΙΣΕΩΝ ΤΗΣ ΟΔΗΓΙΑΣ ΠΡΕΠΕΙ ΝΑ ΓΙΝΕΤΑΙ ΣΕ ΕΠΙΠΕΔΟ ΚΡΑΤΟΥΣ ΜΕΛΟΥΣ ΚΑΙ ΟΧΙ Ε.Ε.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

ΑΠΟΔΕΙΞΗ ΤΗΣ ΕΛΚΥΣΤΙΚΟΤΗΤΑΣ ΚΑΙ ΕΘΙΣΤΙΚΟΤΗΤΑΣ ΜΕ ΕΠΙΣΤΗΜΟΝΙΚΕΣ ΜΕΛΕΤΕΣ

which option

No Change

access to tobacco products**problem definition**

Yes

which option

No change

Government submission**identification****affiliation**

government

name

MAJOR KIASIF XAKH XASAN (Municipality of Fillyra)

email

filira@kom.forthnet.gr

country

GREECE

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

ΔΕΝ ΛΕΙΤΟΥΡΓΟΥΝ ΣΑΝ ΜΕΣΟ ΕΝΗΜΕΡΩΣΗΣ ΟΙ ΕΚΦΟΒΙΣΤΙΚΕΣ ΚΑΙ ΑΠΟΚΡΟΥΣΤΙΚΕΣ ΕΙΚΟΝΕΣ

which option

No change

questions on reporting

problem definition

No

explanations

ΘΕΣΠΙΣΗ ΟΜΟΙΟΜΟΡΦΟΥ ΜΟΝΤΕΛΟΥ ΣΥΣΤΑΤΙΚΩΝ

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

ΔΕΝ ΥΠΑΡΧΕΙ ΑΠΟΔΕΙΞΗ ΟΤΙ ΤΑ ΣΥΣΤΑΤΙΚΑ ΑΥΞΑΝΟΥΝ ΤΗΝ ΕΘΙΣΤΙΚΟΤΗΤΑ ΤΩΝ ΠΡΟΙΟΝΤΩΝ ΚΑΠΝΟΥ

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

name

MEMET XALIT (Municipality of Arriana, Greece)

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country

GREECE

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

RESPONSIBILITY MEANS RIGHT INFORMATION.

which option

No change

questions on reporting

problem definition

No

explanations

THE REPORTS SHOULD BE SENT SEPERATELY FROM E.U. MEMBERS.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

PROOF OF ADDICTIVNESS WITH SCIENTIFIC RESULTS.

which option

No Change

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission**identification****affiliation**

government

name

carina kiechl

email

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country

austria

age

32

gender

female

questions scope**problem definition**

No

explanations

no comment

which option

No change

questions smokeless

problem definition

No

comments

no comment

which option

No change

questions consumer

problem definition

No

explanations

no comment

which option

No change

questions on reporting

problem definition

No

explanations

no comment

which option

No change

regulation of ingredients

problem definition

No

explanations

no comment

which option

No Change

access to tobacco products

problem definition

No

explanations

no comment

which option

No change

Government submission**identification****affiliation**

government

name

Ana-Maria Chiritoi

email

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country

Romania

age

24

gender

female

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional option

Interdictia asupra snus este nejustificata si trebuie ridicata> exista dovezi stiintifice semnificative, care demonstreaza ca snus este mult mai putin nociv decat tigaretele.

questions consumer**problem definition**

No

explanations

Nu exista nicio dovada ca avertismentele mai mari sunt mai eficiente. Exista discrepante semnificative privind dimensiunea HWL-urilor in diferite state membre, care ar trebui supuse atentiei deoarece acestea constituie o bariera comerciala. Directiva ar trebui sa reglementeze in primul rand aceeaasi dimensiune a avertismentelor de sanatate pentru toate statele membre UE.

which option

No change

questions on reporting**problem definition**

No

explanations

Statele membre pot introduce taxe si sanctiuni> Aplicarea prevederilor Directivei trebuie sa ramana responsabilitatea statelor membre.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Testarea ingredientelor trebuie sa demonstreze ca acestea duc la o toxicitate sporita a fumatului ceea ce nu exista. Pierderi majore asupra veniturilor la bugetul de stat din accize si TVA (2 miliarde Euro). Tutunul Burley si folosirea aromelor ce il insotesc, sunt o componenta esentiala a tigaretelor traditionale din amestec de tutun. Daca aromele vor fi interzise, folosirea tutunului Burley va fi serios limitat, cu consecinte economice mari pentru cultivatorii de tutun Burley.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Nu este mentionata nicio problema clara in ceea ce priveste afisajele la masinile de distributie sau la punctele de vanzare. Nu exista nicio dovada clara in sensul ca restrictiile ar imbunatati functionarea pietei interne sau ar aduce avantaje obiectivelor de sanatate publica.

which option

No change

Government submission

identification

affiliation

government

name

müller-wolf

email

km-w1@freenet.de

country

deutschland

questions scope

problem definition

No

explanations

kein kommentar

which option

No change

questions smokeless

problem definition

No

comments

kein kommentar

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

kein kommentar

which option

No change

questions on reporting

problem definition

No

explanations
keinkommentar

which option
No change

regulation of ingredients
problem definition
No

explanations
kein kommentar

which option
No Change

access to tobacco products
problem definition
No

explanations
kein kommentar

which option
No change

Government submission

identification
affiliation
government

name
Cristina David

email
anerom1005@yahoo.com

country
Romania

age
29

gender
female

questions scope

problem definition

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional option

Interdictia asupra snus este nejustificata si trebuie ridicata. Exista dovezi stiintifice care demonstreaza ca snus este mai putin nociv decat tigarele.

questions consumer**problem definition**

No

explanations

NU exista nicio dovada care sa demonstreze ca avertismentele mai mari sunt mai eficiente. Nu exista dovezi credibile ca ar avea un impact mai mare asupra consumului actual sau asupra incidentei fumatului la tineri.

which option

No change

questions on reporting**problem definition**

No

explanations

Statele membre pot introduce deja taxe si sanctiuni. Aplicarea prevederilor Directivei trebuie sa ramana la responsabilitatea statelor membre.

which option

No change

regulation of ingredients**problem definition**

No

explanations

Testarea ingredientelor trebuie sa demonstreze daca ingredientele conduc la o toxicitate sporita a fumatului, ceea ce nu exista. Pierderi majore -aproximativ 2 miliarde euro- asupra veniturilor la bugetul de stat din accize si TVA.

which option

No Change

access to tobacco products

problem definition

No

explanations

Nu este mentionata nicio problema clara in ceea ce priveste afisajele la masinile de distributie sau la punctele de vanzare. Interzicerea comerciantilor legali de a expune produse din tutun la punctul de vanzare nu va contribui la reducerea incidentei fumatului ci va crea o bariera in calea comertului si va prolifera comertul ilicit.

which option

No change

Government submission

identification

affiliation

government

name

Markus Mandl

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country

Austria

age

30

gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Introduce generic or plain packaging

questions on reporting

problem definition

Yes

which option

Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Promotion and displays in retail stores to be banned

Government submission

identification

affiliation

government

name

Stefan Recksiegel

email

stefan@recksiegel.de

country
Germany

age
40

gender
male

questions scope
problem definition
Yes

which option
Extend the scope of the Directive

questions smokeless
problem definition
Yes

which option
Ban on all types of smokeless tobacco products

questions consumer
problem definition
Yes

which option
Improve consumer information; Introduce generic or plain packaging

which improvement
Picture warnings to become mandatory; Health warnings to be put on water pipes

questions on reporting
problem definition
Yes

which option
Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients
problem definition
Yes

which option
Establish a common list of tobacco ingredients

which one
Establish a positive common list of tobacco ingredients; Establish a negative common list of

tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults; Tobacco display and promotion at
points of sales to be restricted

Government submission

identification

affiliation

government

name

bla

email

bla@blamann.com

country

blouro

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Introduce generic or plain packaging

questions on reporting

problem definition

Yes

which option

Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Promotion and displays in retail stores to be banned

Government submission

identification

affiliation

government

name

Peter Symank

email

KSybank@aol.com

country

Germany

questions scope

problem definition

No

explanations

Es stellt sich für mich kein Problem in dieser Sache. In einer Demokratie muss eine Selbstbestimmung des Bürgers möglich sein, ohne massive Regelungseingriffe des Staates (hier der Europäischen Union). Sollten die gewünschten Maßnahmen so umgesetzt werden, bewegen wir uns geradewegs auf eine Diktatur zu. Der Mittelstand wird durch diese Regelungen gezielt vernichtet. Die Existenzen von 100.000 von Familien in der Bundesrepublik sind dadurch gefährdet.

which option

No change

recommend option

kein Kommentar, da es kein Problem gibt.

additional comments

kein Kommentar, da es überhaupt keiner Vorschläge bedarf.

questions smokeless**problem definition**

No

comments

Völlig überzogene Regelungswut. Hier wollen einzelne Personen über das Wohlergehen der gesamten Menschheit bestimmen.

which option

No change

additional option

kein Kommentar

additional comments

kein Kommentar

questions consumer**problem definition**

No

explanations

kein Kommentar

which option

No change

additional option

kein Kommentar

additional comments

kein Kommentar

**questions on reporting
problem definition**

No

explanations

Die Vielheit der verschiedenen Tabakprodukte sollte unbedingt erhalten bleiben. Genuss muss in dieser Gesellschaft noch möglich sein.

which option

No change

additional options

kein Kommentar.

additional comments

kein Kommentar.

regulation of ingredients

problem definition

No

explanations

kein Kommentar

which option

No Change

additional option

kein Kommentar

additional comments

kein Kommentar

access to tobacco products

problem definition

No

explanations

Der Zugang zu Tabakprodukten sollte in Fachgeschäften (Tabakgeschäften) auf alle Fälle möglich sein. Unter dem Ladentisch kann nichts mehr verkauft werden. Hier greift die EU in jegliche Rechte ein. Das bedeutet das Ende jeglicher Tabakläden und Kioske und alles was direkt und indirekt damit zusammenhängt.

which option

No change

additional option

kein Kommentar.

additional comments

kein Kommentar.

Government submission**identification****affiliation**

government

name

ΠΑΝΑΓΙΩΤΗΣ ΣΓΟΥΡΙΔΗΣ Τ. ΑΝΤΙΠΡΟΕΔΡΟΣ ΒΟΥΛΗΣ ΤΩΝ ΕΛΛΗΝΩΝ, Panagiotis Sgouridis, formet Vice-President of the Greek Parliament

email

sgouridis@parliament.gr

country

GREECE

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

No

comments

no comments

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

no comments

which option

No change

questions on reporting**problem definition**

No

explanations

no comments

which option

No change

regulation of ingredients

problem definition

No

explanations

no comments

which option

No Change

access to tobacco products

problem definition

No

explanations

no comments

which option

No change

Government submission

identification

affiliation

government

name

Γεώργιος Μπούλιας Δημοτικός Σύμβουλος Δήμου Αθηναίων

email

broulias@allaboutbusiness.gr

country

Ελλάδα

age

32

gender

male

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
No

comments
κανένα σχόλιο

which option
Lifting the ban on snus

additional option
κανένα σχόλιο

additional comments
κανένα σχόλιο

questions consumer
problem definition
No

explanations
κανένα σχόλιο

which option
No change

additional option
κανένα σχόλιο

additional comments
κανένα σχόλιο

questions on reporting
problem definition
No

explanations
κανένα σχόλιο

which option
No change

additional options

κανένα σχόλιο

additional comments

κανένα σχόλιο

regulation of ingredients**problem definition**

No

explanations

κανένα σχόλιο

which option

No Change

additional option

κανένα σχόλιο

additional comments

κανένα σχόλιο

access to tobacco products**problem definition**

No

explanations

κανένα σχόλιο

which option

No change

additional option

κανένα σχόλιο

additional comments

κανένα σχόλιο

Government submission**identification****affiliation**

government

name

ΣΑΡ ΧΟΥΣΕΙΝ ΙΣΜΑΗΛ τουΑΜΕΤ

email

korgani@otenet.gr

country
GREECE

age
34

gender
male

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
ΔΕΝ ΛΕΙΤΟΥΡΓΟΥΝ ΣΩΣΤΑ ΟΙ ΑΠΟΚΡΟΥΣΤΙΚΕΣ ΕΙΚΟΝΕΣ.

which option
No change

questions on reporting
problem definition
No

explanations
ΘΕΣΠΙΣΗ ΕΝΙΑΙΟΥ ΜΟΝΤΕΛΟΥ ΣΥΣΤΑΤΙΚΩΝ.

which option
Establish a common compulsory reporting format

regulation of ingredients
problem definition
No

explanations

ΔΕΝ ΥΠΑΡΧΕΙ ΚΑΜΙΑ ΑΠΟΔΕΙΞΗ ΟΤΙ ΤΑ ΣΥΣΤΑΤΙΚΑ ΑΥΞΑΝΟΥΝ ΤΗΝ ΕΘΙΣΤΙΚΟΤΗΤΑ ΤΩΝ ΠΡΟΙΟΝΤΩΝ ΤΟΥ ΚΑΙΝΟΥ.

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

name

Ministry of Rural Development and Food

email

aperdikaris@hq.minagric.gr

country

Greece

age

38

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

No comments

which option

No change

**questions on reporting
problem definition**

No

explanations

No comments

which option

No change

**regulation of ingredients
problem definition**

No

explanations

No comments

which option

No Change

**access to tobacco products
problem definition**

No

explanations

No comments

which option

No change

Government submission

identification

affiliation

government

name

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country

Deutschland

questions scope**problem definition**

No

explanations

kein kommentar

which option

No change

questions smokeless**problem definition**

No

comments

kein Kommentar

which option

No change

questions consumer**problem definition**

No

explanations

kein Kommentar

which option

No change

questions on reporting**problem definition**

No

explanations

kein Kommentar

which option

No change

regulation of ingredients**problem definition**

No

explanations

kein Kommentar

which option

No Change

access to tobacco products**problem definition**

No

explanations

kein Kommentar

which option

No change

Government submission**identification****affiliation**

government

name

Carola Hhas

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country

Deutschland

questions scope**problem definition**

No

explanations

Weil es Schwachsinn ist, es gibte andere Propleme in Deutschland die wichtiger sind!!

which option

No change

questions smokeless**problem definition**

No

comments

kein Kommentar

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

kein Kommentar

which option

No change

questions on reporting

problem definition

No

explanations

kein kommentar

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

kein kommentar

which option

No Change

access to tobacco products

problem definition

No

explanations

kein Kommenzar

which option

No change

Government submission

identification

affiliation

government

name

ΒΑΣΙΛΗΣ ΟΙΚΟΝΟΜΟΥ ΒΟΥΛΕΥΤΗΣ ΑΤΤΙΚΗΣ, Vasilis Oikonomou, MP of Attiki

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country

GREECE

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

No

comments

no comment

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

no comment

which option

No change

questions on reporting

problem definition

No

explanations

no comment

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

no comment

which option

No Change

access to tobacco products

problem definition

No

explanations

no comment

which option

No change

Government submission

identification

affiliation

government

name

Peter Blatter

email

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country

CH

age

47

gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Introduce generic or plain packaging

questions on reporting

problem definition

Yes

which option

Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Promotion and displays in retail stores to be banned

Government submission

identification

affiliation

government

name

Caroline Jonsson

email

caroline.b.jonsson@ornskoldsvik.se

country

Sweden

age

26

gender

female

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Health warnings to be put on water pipes

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

**access to tobacco products
problem definition**

Yes

which option

Controlled supply and access; Ban

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Promotion and displays in retail stores to be banned

Government submission

identification

affiliation

government

name

Heiko Gatterhum

email

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country

Germany

age

30

Government submission

identification

affiliation

government

name

Diaconu Andreea

email

Diaconuandreea@yahoo.com

country

Romania

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

• Luând măsura fără precedent de a crește dimensiunea la 75/100 față și spate ar încălca drepturile de proprietate intelectuală ale producătorilor 75/100 HWL lasă producătorilor spațiu insuficient pentru a afișa numele de marcă și logo-ul, ceea ce este echivalent cu ambalajul generic și încalcă drepturile de proprietate intelectuală a producătorilor. De asemenea, avertismentele de 100% de pe spatele pachetului, dacă ar exista vor fi parțial acoperite de timbrul fiscal. • Dacă se implementează pachetele generice piața ilicită a ambalajelor marcate va inflori. Atunci când vor avea de ales între pachetele generice și cele de contrabanda, dar cu marca, consumatorii vor alege produsele cu marca pentru că aceasta va crea impresia de produs original și de calitate.

which option

No change

questions on reporting

problem definition

No

explanations

Aplicarea prevederilor Directivei trebuie să rămână responsabilitatea statelor membre.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

• Testarea ingredientelor trebuie să demonstreze dacă ingredientele conduc la o toxicitate sporită a fumatului, ceea ce nu există. • Pierderi majore -aprox 2 miliarde Euro- asupra veniturilor la bugetul de stat din accize și TVA, în condițiile în care bugetul de stat este deja puternic afectat de către scăderea volumului legal de vânzări - 36.2% a pieței ilegale de tutun în România în ianuarie 2010

which option

No Change

access to tobacco products**problem definition**

No

explanations

• Nu este menționată nicio problemă clară în ceea ce privește afișajele la mașinile de distribuție sau la punctele de vânzare. • Nu există nicio dovadă în sensul că restricțiile ar îmbunătăți funcționarea pieței interne sau ar aduce avantaje obiectivelor de sănătate publică. • Interzicerea comercianților legali de a expune produsele din tutun la punctul de vânzare nu va contribui la reducerea incidenței fumatului și va crea o barieră în calea comerțului și va proliferă comerțul ilicit

which option

No change

Government submission**identification****affiliation**

government

name

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country

Romania

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

• Nu există nicio dovadă cum că avertismentele mai mari sunt mai eficiente. • Nu există dovezi credibile că avertismentele de această dimensiune 75/100% ar avea vreun impact asupra consumului actual sau asupra incidenței fumatului la tineri. În plus, nicio țară din lume nu a implementat 75/100 HWLs. Beneficiile acestei măsuri fără precedent sunt cu totul speculative. • Nu există nicio dovadă că ambalajele simple ar îmbunătăți funcționarea pieței interne sau că ar avea influențe benefice asupra sănătății publice. • Eliminarea tuturor logourilor, culorilor, graficelor de pe pachetul de țigări încalca drepturile de proprietate intelectuală – Art 53 din Constituția Română. Exproprierea acestor drepturi de proprietate extrem de valoroase ale producătorilor ar încălca legislația și acordurile comerciale ale UE, precum și pe cele internaționale.

which option

No change

questions on reporting**problem definition**

No

explanations

Aplicarea prevederilor Directivei trebuie să rămână responsabilitatea statelor membre.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

• Pierderi majore -aprox 2 miliarde Euro- asupra veniturilor la bugetul de stat din accize și TVA, în condițiile în care bugetul de stat este deja puternic afectat de către scăderea volumului legal de vânzări - 36.2% a pieței ilegale de tutun în România în ianuarie 2010 • Problema deja acută a comerțului ilicit (peste un sfert din piață) va atinge cote dramatice. Fumătorii adulți se vor orienta către produsele preferate în piețele învecinate, (Ucraina, Moldova) unde prețurile țigaretelor sunt extrem de mici. • Interzicerea ingredientelor va

deschide larg portile pietei negre cu produse provenite din contrabandă sau contrafacere

which option

No Change

access to tobacco products

problem definition

No

explanations

• Interzicerea expunerii produsului, va face practic imposibilă introducerea pe orice piață din UE a unor mărci noi (imposibilitatea de a le comunica la punctul de vanzare) sau a unor noi companii (pentru ca nu-si pot face cunoscute produsele). Politica privind concurenta corecta în UE și piața unică au fost create tocmai pentru a elimina astfel de bariere comerciale și a pune capăt practicilor anterioare care favorizau jucătorii naționali sau stabili pe piata in defavoarea noilor intrati . • “Ascunderea” produselor din tutun “sub tejghea” presupune și “ascunderea” lor de autorități care aplică legea. Interzicerea afișării produsului va ușura infiltrarea grupurilor criminale pe canalul comerțului legal sub forma contrabandei și produselor contrafăcute iar aceasta situatie va face mandatul autoritatilor cu rol de control foarte dificil.

which option

No change

Government submission

identification

affiliation

government

name

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country

Romania

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

• Luând măsura fără precedent de a crește dimensiunea la 75/100 față și spate ar încălca drepturile de proprietate intelectuală ale producătorilor 75/100 HWL lasă producătorilor spațiu insuficient pentru a afișa numele de marcă și logo-ul, ceea ce este echivalent cu ambalajul generic și încalcă drepturile de proprietate intelectuală a producătorilor. De asemenea, avertismentele de 100% de pe spatele pachetului, dacă ar exista vor fi parțial acoperite de timbrul fiscal. • Nu există dovezi că, odata introduse pachetele generice consumatorii vor renunța la fuma Pachetele generice vor prolifera comerțul ilicit prin costul scăzut al contrafacerii pachetelor standard. Falsificatorii și contrabadiștii vor fi stimulați de ambalajele albe.

which option

No change

questions on reporting

problem definition

No

explanations

Aplicarea prevederilor Directivei trebuie să rămână responsabilitatea statelor membre.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

• Producătorilor ar trebui să le fie permis să folosească ingrediente în produsele lor de tutun atâta vreme cât acestea nu cresc toxicitatea, inerentă fumului de țigară • Pierderi majore - aprox 2 miliarde Euro- asupra veniturilor la bugetul de stat din accize și TVA, în condițiile în care bugetul de stat este deja puternic afectat de către scăderea volumului legal de vânzări - 36.2% a pieței ilegale de tutun în România în ianuarie 2010

which option

No Change

access to tobacco products

problem definition

No

explanations

• Expunerea produselor la punctul de vânzare este un mijloc simplu de informare a consumatorilor adulți asupra a ceea ce este de vânzare și, de asemenea, oferă producătorilor oportunitatea de a concura corect. Interzicerea expunerii produselor la punctul de vânzare ar fi sfârșitul unei concurențe corecte, și va determina producătorii să concureze la preț, ceea ce ar încălca cadrul de concurență în UE și în România.

which option

No change

Government submission**identification****affiliation**

government

name

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Romania

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

• Nu există nicio dovadă cum că avertismentele mai mari sunt mai eficiente. • Nu există dovezi credibile că avertismentele de această dimensiune 75/100% ar avea vreun impact asupra consumului actual sau asupra incidenței fumatului la tineri. În plus, nicio țară din lume

nu a implementat 75/100 HWLs. Beneficiile acestei măsuri fără precedent sunt cu totul speculative. • Dacă se implementează pachetele generice piață ilicită a ambalajelor marcate va înflori. Atunci când vor avea de ales între pachetele generice și cele de contrabandă, dar cu marca, consumatorii vor alege produsele cu marca pentru că aceasta va crea impresia de produs original și de calitate.

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

No

explanations

• Odată implementată o asemenea măsură, fumătorii adulți vor fi indusi în eroare, prin faptul că aceștia vor percepe țigările Virginia ca fiind „mai sănătoase” decât cele interzise • . Ingredientele ar trebui evaluate pe baza efectelor lor asupra sănătății, și nu pe criteriile de atractivitate care sunt extrem de subiective. • Testarea ingredientelor trebuie să demonstreze dacă ingredientele conduc la o toxicitate sporită a fumatului, ceea ce nu există.

which option

No Change

access to tobacco products

problem definition

No

explanations

• Expunerea produselor la punctul de vânzare este un mijloc simplu de informare a consumatorilor adulți asupra a ceea ce este de vânzare și, de asemenea, oferă producătorilor oportunitatea de a concura corect. Interzicerea expunerii produselor la punctul de vânzare ar fi sfârșitul unei concurențe corecte, și va determina producătorii să concureze la preț, ceea ce ar încălca cadrul de concurență în UE și în România.

which option

No change

Government submission

identification

affiliation

government

name

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country

Belgium

age

32

gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

The Belgian Cancer Center - Troonstraan 310, 1050 Brussel, tel +32 2 264 5704 - (CC) is of the opinion that in spite of the fact that nicotine itself is not a known carcinogen, nicotine promotes the progression of lung cancer cell growth.* Nicotine replacement therapy (NRT) is dangerous and therefore should be strictly limited to pharmaceutical therapy under medical supervision (e.g. via on prescription only \diamond no 'over the counter' sale). *National Cancer Institute (2010), NCI statement on Nicotine Study in January, online: www.cancer.gov/cancertopics/tobacco, 1

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory

additional option

Regarding option 2b. TNCO information, should be published on the packaging material. The statement should go no further than: "This product contains harmful TNCOs". The level should not be indicated. Levels encourage consumer to compare the products. By choosing the product with the lowest TNCO level, consumers think they are choosing a healthier product; which in fact is a false belief. Regarding option 2d: the water pipes. From a technical point of view it is difficult to put mark ups or signs on water pipes that warn for health damage. More important is that the packaging for the products used in water pipes has the same warnings as those on cigarettes or other tobacco products.

additional comments

Option 3, generic packaging for all tobacco products, is the best option. In the perspective on the fight against cancer, generic packaging seems to be the most effective option. Not alone would this type of packaging allow (picture) warnings, it also will stop the industry from using the package surface to announce their products as something that is the most attractive, the best, the most natural, etc. If generic packaging is not to become the standard, the EU directive should forbid all quotes similar to: 'no additives', '100% natural', 'organic grow process', etc.

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The most efficient would be to start from the already existing platform EMTOC (<http://www.rivm.nl/tabakinfo/emtoc>) already in use in The Netherlands, Belgium, Germany and Austria. This system meets requirements on intellectual properties and addressed the issue of industrial confidentiality.

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional option

In the fight against cancer a 4th option is to be considered: the total banning of all additives in consumer tobacco products. It is ethically untenable to allow additives to make tobacco products more attractive, more tasteful or more enjoyable, when there is clear evidence available that demonstrates that cigarettes kill hundred of thousands of EU citizens each year. By now only Canada totally banned additives. The European Union should try to meet the Canadian standards.

additional comments

From a public health point of view option 3a (a positive common list) is the absolute minimum.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

Government submission**identification****affiliation**

government

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country

France

age

59

gender

male

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Introduce generic or plain packaging

questions on reporting

problem definition

Yes

which option

Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

Government submission

identification

affiliation

government

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country

ΕΛΛΑΔΑ

age

34

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

No change

questions consumer**problem definition**

Yes

which option

No change

questions on reporting**problem definition**

Yes

which option

No change

regulation of ingredients**problem definition**

No

explanations

Τα ελληνικά καπνά ανατολικού τύπου χρησιμοποιούνται στα τσιγάρα με συστατικά. Αν απαγορευθούν τα συστατικά, θα σημάνει το τέλος των ελληνικών καπνών και θα πληγί και το λιανεμπόριο αφού εννέα στα δέκα σήματα τσιγάρων στην Ελλάδα παρασκευάζονται με συστατικά. Τέλος, κάθε ρυθμιστικό πλαίσιο για τα συστατικά στα τσιγάρα θα πρέπει να βασίζεται σε επιστημονικά δεδομένα αποκλειστικά.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Κάθε μέτρο που πλήττει το επιχειρείν, την εμπορική ελευθερία και το δικαίωμα πληροφόρησης του καταναλωτή με βρίσκει αντίθετο. Ένα τέτοιο μέτρο είναι και η απαγόρευση έκθεσης καπνικών προϊόντων στα σημεία πώλησης.

which option

No change

Government submission**identification****affiliation**

government

name

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country

Greece

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

no comments

which option

No change

questions on reporting**problem definition**

No

explanations

no omments

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

no comments

which option

No Change

access to tobacco products**problem definition**

No

explanations

n comments

which option

No change

Government submission**identification****affiliation**

government

name

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country
Greece

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
Δε λειτουργούν σωστά οι αποκρουσικές εικόνες.

which option
No change

questions on reporting
problem definition
No

explanations
Εισαγωγή κοινού τύπου συστατικών σε επίπεδο Ε.Ε.

which option
Establish a common compulsory reporting format

regulation of ingredients
problem definition
No

explanations
Απόδειξη της ελκυστικότητας και εθιστικότητας με επιστημονικές μελέτες.

which option
No Change

access to tobacco products
problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission

identification

affiliation

government

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age

30

gender

female

questions scope

problem definition

No

explanations

No Comment - absurd

which option

No change

questions smokeless

problem definition

No

comments

Absurd

which option

Ban on all types of smokeless tobacco products

**questions consumer
problem definition**

No

explanations

Absurd

which option

No change

additional option

more spots in TV

additional comments

more spots in TV

**questions on reporting
problem definition**

No

explanations

no comments

which option

No change

additional options

Its o.K. as it is

additional comments

o.k.

**regulation of ingredients
problem definition**

Yes

which option

No Change

additional option

o.k.

**access to tobacco products
problem definition**

Yes

which option

No change

Government submission

identification

affiliation

government

name

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Germany

age

45

gender

male

questions scope

problem definition

No

explanations

Die Problemdarstellung enthält lediglich vage Einschätzungen im Hinblick auf eine mögliche Binnenmarktverzerrung oder ein mögliches Versagen bei der Sicherstellung eines hohen Gesundheitsschutzniveau aufgrund fehlender einheitlicher Bestimmungen für die Regulierung von nikotinhaltigen oder zigarettenähnlichen Produkten in den Mitgliedstaaten. Zudem vermeidet die Kommission jede Form der Wertung in Bezug auf das Subsidiaritäts- und Verhältnismäßigkeitsprinzip. Jede Form der Regulierung von Tabakerzeugnissen muss auf der Grundlage wissenschaftlichen Erkenntnisse sowie der zweifelsfrei gegebenen Rechtssetzungskompetenz der EU basieren. Dies gilt auch für mögliche Regulierungen oder gar Verbote für nikotinhaltige Produkte, die keinen Tabak enthalten oder zigarettenähnliche Produkte. Eine Einbeziehung von nikotinhaltigen Produkten in den Geltungsbereich der Richtlinie kann nicht allein aus der Begründung heraus erfolgen, dass diese Produkte neu sind und nach der Auffassung der Kommission auch auf eine entsprechende Nachfrage in den einzelnen Märkten der EU 27 treffen.

which option

No change

questions smokeless

problem definition

No

comments

Der Konsum rauchloser Tabakerzeugnisse durch erwachsenen und aufgeklärte Personen gefährdet weder die Gesundheit Dritter noch schränkt der Konsum dieser Produkte andere Personen in ihren Lebensgewohnheiten ein. Der Konsum dieser Produkte liegt in der Eigenverantwortung des Einzelnen. Das Bewerben und Verkaufen dieser Produkte muss daher möglich sein. Das EU weite Verbot von Snus stellt eine massive Entmündigung der Bürger dar. Denn die erwachsenen Verbraucher haben das Recht, auch bei Genussmitteln mit Gesundheitsrisiken die Wahl zu haben und eigenverantwortliche Entscheidungen zu treffen. Aus der Problemdarstellung der Kommission lässt sich keine wissenschaftlich fundierte Grundlage ableiten, die ein EU weites Verbot von Snus oder anderer rauchloser Produkte rechtfertigen können. Beispielsweise vermissen wir in der Problemdarstellung wissenschaftlich fundierte Wirkungsanalysen aus Ländern, in denen Snus oder andere rauchlose Tabakerzeugnisse konsumiert werden.

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Es gibt keine überzeugenden Beleg dafür, dass ein Warnhinweis umso wirksamer ist, je größer sein Format. Es existiert bereits ein allgemeines Bewusstsein der Risiken des Rauchens. Ein Hinzufügen von Bildern auf den Warnhinweisen erhöht dieses Bewusstsein nicht sondern die Bilder wirken lediglich überwiegend abstoßend ohne eine zusätzliche Information zu bieten. Es wird pauschal unterstellt, dass die Einführung von Bildwarnhinweisen auf das Rauchverhalten der Verbraucher einwirkt. Dafür werden allerdings keine Nachweise aus den Ländern zugeliefert, in denen Bildwarnhinweise bereits verpflichtend eingeführt wurden. Die Einheitspackung würde den Wesensgehalt der Verbraucher verletzen. Eine Marke dient nämlich zur Wahrung der Entscheidungs- und Wahlfreiheit der Bürger. Die Einführung von Einheitspackungen für Zigaretten wäre eine massive Entmündigung der Bürger. Stichhaltige wissenschaftliche Nachweise, dass Tabakverpackungen und Produktmerkmale von Tabakerzeugnissen das Rauchverhalten von Verbrauchern beeinflussen, existieren nicht. Über die Einführung von neutralen Verpackungen konzentriert sich der Wettbewerb verstärkt auf das Preis Marketing. Sinkende Preise wären die Konsequenz. Dies ist in jeder Hinsicht kontraproduktiv hinsichtlich des Jugend und Gesundheitsschutzes und bedroht die Existenz des rein national tätigen Groß und Einzelhandel in Deutschland. Durch die Umsetzung von neutralen Verpackungen wird Produktfälschern die Arbeit erleichtert und das Problem des Schmuggels weiter verschärft. Dies bedroht die Existenz des rein national tätigen Groß und Einzelhandel. Die Kommission selbst hat im Rahmen der Tabak Produkt Richtlinie die Höchstgehalte an Teer, Nikotin und Kohlenmonoxid begrenzt. Eine Darstellung dass Verbraucher aufgrund der niedrigeren Höchstgehalte den Konsum der Produkte als weniger riskant für ihre Gesundheit einstufen könnten ist absurd.

which option

No change

questions on reporting

problem definition

No

explanations

Ob die Behörden Schwierigkeiten bei Vergleich und Analyse der Daten haben oder die Erfassung und Analyse der gemeldeten Daten über Inhaltsstoffe erhebliche Ressourcen auf Seiten der zuständigen nationalen Behörden erfordern, wie von der Kommission gefordert kann nicht beurteilt werden. Wenn dies so wäre verwundert es sehr, dass der Anstoss in Richtung einer Vereinheitlichung und Vereinfachung nicht aus den Mitgliedstaaten selbst hervorgeht, sondern von der Kommission vorgebracht wird und dann im Zusammenhang mit einer Option, die der Wirtschaft zusätzliche dauerhafte Kosten auferlegen würde. Die Mitgliedstaaten selbst sind gefordert, zusammen mit der Wirtschaft einen pragmatischen Weg zu diskutieren und umzusetzen. Ein notwendiger Handlungsbedarf oder gar ein Mandat der Kommission zum Eingriff in bestehende Abläufe wird nicht ersichtlich.

which option

No change

regulation of ingredients**problem definition**

No

explanations

Die Problemdarstellung ist keine sachgerechte an wissenschaftlichen Prüfstrategien und Standards orientierte und am Massstab der Verhältnismäßigkeit ausgerichtete Diskussionsgrundlage. Der Begriff attraktiv ist ein subjektives Kriterium für ein Verbot oder eine Regulierung der Zusatzstoffen und entbehrt jeglicher wissenschaftlicher Grundlage. Die Verbreitung des Rauchens in Ländern wie Grossbritannien und Irland, in denen vorwiegend Zigaretten ohne Zusatzstoffe verkauft werden, ist nicht geringer als die Verbreitung in Ländern, in denen vorwiegend Zigaretten mit Zusatzstoffen verkauft werden. Wettbewerbsrechtliche Auswirkungen einer einseitigen Regulierung von Produkten mit Zusatzstoffen werden nicht thematisiert. Die Frage nach der Wirkung auf das Preisgefüge in den EU 27 Märkten sowie >Effekte auf den illegalen Handel mit Tabakerzeugnissen werden nicht thematisiert.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Die Problemdarstellung ist keine sachgerechte an wissenschaftlichen Prüfstrategien und Standards orientierte und am Massstab der Verhältnismässigkeit ausgerichtete Diskussionsgrundlage. Die Darstellung dass in einer Vielzahl von Mitgliedstaaten der Betrieb von Tabakautomaten verboten ist - ist keine Problembeschreibung. Die Problembeschreibung trifft nicht zu. In Mitgliedstaaten der EU 27 dürfen Tabakwaren über Automaten abgegeben werden. Dies erfolgt i.d.R. unter strengen gesetzlichen Auflagen der nationalen Regierungen. Die Problembeschreibung stimme ich nicht zu. Die Bereiche Verkauf von Tabakwaren über Zigarettenautomat und Mindestaltersgrenze für den Bezug von Tabakwaren sind Themen die eindeutig in den Zuständigkeitsbereich der Mitgliedstaaten fallen. Die Problembeschreibung

Zigarettenautomat ist überflüssig, da die Kommission selbst bei ihrem Bericht zur Umsetzung der Ratsempfehlung 2003/54/EC aus Nov. 2009 festgehalten hat: Insgesamt ist die Umsetzung der Empfehlung zufriedenstellend. Die trifft insbesondere die Verpflichtung das Mindestalter für den Kauf von Tabakwaren zu überprüfen sowie die Durchführung von Maßnahmen zur Beschränkung der Verwendung von Automaten durch minderjährige Personen. Weder ein Verbot des Verkaufs von Tabakwaren in Automaten noch die Untersagung der Auslage bzw. Sichtbarkeit von Zigaretten in Verkaufsstellen weisen einen grenzüberschreitenden Bezug auf. Für Automaten ergibt sich schon daraus, dass deren Einzugsgebiet auf die unmittelbare Nachbarschaft zum Automaten beschränkt ist. Selbst wenn von Mitgliedstaat zu Mitgliedstaat unterschiedliche Anforderungen an die Gestaltung der Automaten z. B. aus Gründen des Jugendschutzes - den grenzüberschreitenden Handel mit den Automaten behindern. würde ein Verbot der Automatenaufstellung dem gemeinschaftsweiten Warenhandel mit Automaten die Grundlage entziehen, diesen also beeinträchtigen und ihn nicht erleichtern. Die EU kann nur tätig werden wenn sie die Kompetenz dazu hat - diese Kompetenz ist in den EU Verträgen festgelegt. Ein Verweis darauf, dass bisher weder die Frage der begrenzten Einzelmächtigung, der Subsidiarität oder der Verhältnismässigkeit in Bezug auf die einzelnen Massnahmen oder Optionen hin geprüft wurde, ist inakzeptabel. Die Problembeschreibung wird daher mangels fehlender juristischer Vorwertung der Kommission nicht mitgetragen. Dass die Existenz von Zigarettenautomaten einen Einfluss auf das Rauchverhalten Jugendlicher hat, ist wissenschaftlich nicht nachgewiesen. In Ländern mit einem Automatenverbot fällt die Quote jugendlicher Raucher zum Teil höher aus als in Ländern mit einer Automatenvertriebsstruktur. Pläne der europäischen Kommission zur Abschaffung der Automaten schränken daher die Bezugsmöglichkeiten erwachsener Verbraucher ein, dienen dem Jugendschutz jedoch in keiner Weise. Organisierte Kriminalität wird das Vakuum füllen, das entsteht, wenn legale Verkaufs und Bezugsstellen verschwinden. Beispielhaft sei hier eine Stellungnahme der Deutschen Bundesregierung vom 1.04.10: Im Rahmen der Verhältnismässigkeit sieht die Bundesregierung die bereits existierenden gesetzlichen Vorschriften und die in Vollzug dieser Vorschrift erfolgte Umsetzung der technischen Sicherung von Zigarettenautomaten durch Alterskontrolle per Geldkarte oder europäischen Führerschein als derzeit ausreichend um das Abgabeverbot von Tabakwaren durch Automaten an Minderjährige wirksam zu regeln. Eine Abschaffung der Automaten wird aus wettbewerbs wie auch verfassungsrechtlichen Gründen als nicht durchsetzbar und darüber hinaus auch als unverhältnismässig angesehen. Die Ziele des Jugend und Gesundheitsschutzes sind durch andere weniger einschneidende Massnahmen gleichermaßen erreichbar.

which option

No change

Government submission

identification

affiliation

government

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country

Italy

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Non vi è evidenza del fatto che avvertenze sanitarie di dimensioni maggiori siano più efficaci:
Non vi è evidenza del fatto che il confezionamento generico migliori il funzionamento del mercato interno o produca benefici per la salute pubblica. renderebbe invece più facile per le organizzazioni criminali la riproduzione di marchi legittimi e questo porterebbe a un aumento delle vendite di prodotti illegali.

which option

No change

questions on reporting**problem definition**

No

explanations

Gli Stati membri possono già introdurre imposte o sanzioni. L'applicazione dei provvedimenti della Direttiva dovrebbe rimanere responsabilità degli Stati membri.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Riguardo l'analisi degli ingredienti, bisognerebbe focalizzarsi sul fatto che gli ingredienti non aumentano la tossicità del fumo di tabacco.

which option

No Change

access to tobacco products

problem definition

No

explanations

Il problema non è definito con chiarezza sia con riferimento ai distributori sia riguardo il punto vendita. Non vi è evidenza del perché tali divieti migliorerebbero il funzionamento del mercato interno o permetterebbero il raggiungimento di obiettivi di salute pubblica.

which option

No change

Government submission

identification

affiliation

government

name

GRZEGORZ SZEWCZYK

email

N.A

country

POLAND

questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

**questions on reporting
problem definition**

No

explanations

n.a

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

Government submission

identification

affiliation

government

name

ANNA STEFAŃSKA

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NO EMAIL

country

POLAND

questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

questions on reporting

problem definition

No

explanations

n.a

which option

No change

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

additional option

n.a

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

Government submission

identification

affiliation

government

name

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POLAND

questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

questions on reporting

problem definition

No

explanations

n.a

which option

No change

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

access to tobacco products

problem definition

No

which option

No change

Government submission

identification

affiliation

government

name

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country

Poland

age

48

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients**problem definition**

Yes

which option

No Change

access to tobacco products**problem definition**

Yes

which option

No change

Government submission**identification****affiliation**

government

name

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country

Sweden

gender

female

questions scope**problem definition**

No

explanations

have no opinion on the problem definition regarding scope of the directive, but option 2 suggests a ban on novel products similar to snus. It does not make sense to outright ban new forms of tobacco products without having a scientific assessment process in place.

which option

No change

questions smokeless**problem definition**

No

comments

As politically active in Sweden for several years, and since this year also a Member of Parliament for the Moderate Party, I see that there are benefits of having snus as an option to more harmful, tobacco products, in terms of lower smoking rates, and costs related to tobacco related illnesses. The trade restrictions through the EU ban discriminates against Swedish snus, a less harmful product than cigarettes, which is allowed in the EU. There is no reason to restrict the free trade on the EU internal market in this context.

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

As a lawyer and a substitute in the Parliamentary Committee of Justice I see great problems with regulatory measures such as plain packaging, as it is a serious violation of trademark rights. I have similar concerns as regards excessively big health warnings, which would prevent trademark owners from using their trademarks. Both these measures would make it very easy to make fake copies of cigarettes packages, something that already is a significant problem in the region I represent in Sweden. It would also make the task of fighting illegal trade and organized crime more difficult for law enforcement authorities, such as Customs and the Police.

which option

No change

questions on reporting**problem definition**

No

explanations

I have no opinion on reporting and registration of ingredients

which option

No change

regulation of ingredients**problem definition**

No

explanations

Any regulation should be based on solid science and evidence, including regulation of ingredients in tobacco products. In this case, regulation of ingredients needs to be based on a thorough assessment process, to establish e.g. increased toxicity. In my view, attractiveness is not a measure that can be scientifically established.

which option

No Change

access to tobacco products

problem definition

No

explanations

I represent the municipality of Malmö in the Swedish Parliament, a municipality that suffers great problems with illicit trade. As illegal trade in cigarettes often is linked to organized crime, the problem becomes even more serious. Experience has shown that overregulation often leads to increased illegal trade, and a display ban on tobacco products seems to have contributed to such an increase in countries where it has been implemented. It would be devastating to introduce regulations that would increase the difficulties we already suffer from the illegal trade. Furthermore, I believe it is problematic to prohibit legal products from being displayed in stores, internal trade restrictions on legal products should not be the way forward for the EU.

which option

No change

Government submission

identification

affiliation

government

name

Cristina Elena Dobre

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country

Romania

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Pachetele generice vor fi mult mai usor de contrafacut, iar consumatorilor le va fi practic imposibil sa distinga produsele contrafacute de cele autentice. Problema comertului ilicit se va agrava, cu impact negativ major asupra veniturilor la bugetul de stat si asupra veniturilor comerciantilor legitimi. Marirea pictogramelor echivaleaza intr-un fel cu introducerea pachetelor generice.

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Ingredientele ar trebui evaluate pe baza efectelor lor asupra sanatatii, si nu pe criteriile de atractivitate, care sunt extrem de subiective. Raportul RAND (septembrie 2010) sugereaza insa ca la ora actuala nu exista dovezi stiintifice atestand ca ingredientele cresc toxicitatea inerenta produselor din tutun.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Interzicerea expunerii produselor din tutun la punctele de vanzare nu va contribui la reducerea incidentei fumatului, ci va crea o bariera in calea comertului si va duce la explozia pietei negre.

which option

No change

Government submission

identification**affiliation**

government

name

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country

Hungary

gender

female

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

recommend option

no

additional comments

no

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

additional option

No

additional comments

No

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

No

additional comments

No

**questions on reporting
problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional options

No

additional comments

No

**regulation of ingredients
problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

additional option

No

additional comments

No

**access to tobacco products
problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

No

additional comments

No

Government submission

identification

affiliation

government

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Hungary

gender

female

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

recommend option

No

additional comments

No

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

additional option

No

additional comments

No

questions consumer

problem definition

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

No

additional comments

No

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional options

No

additional comments

No

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

additional option

No

additional comments

No

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

No.

additional comments

No

Government submission**identification****affiliation**

government

name

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Hungary

gender

male

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

recommend option

no

additional comments

no

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

additional option

no

additional comments

no

questions consumer

problem definition

Yes

which option

Introduce generic or plain packaging

additional option

no

additional comments

no

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional options

no

additional comments

no

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

additional option

no

additional comments

no

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

no

additional comments

no

Government submission**identification****affiliation**

government

name

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country

POLAND

questions scope**problem definition**

No

explanations

N.A

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

N.A

which option

No change

questions on reporting

problem definition

No

explanations

N.A

which option

No change

regulation of ingredients

problem definition

No

explanations

N.A

which option

No Change

access to tobacco products

problem definition

No

which option

No change

Government submission

identification

affiliation

government

name

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Romania

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Nu este deloc evident ca avertismentele marite vor aduce o constientizare crescuta si deci scaderea incidentei fumatului. Introducerea pachetelor generice va face ca producatorii sa nu mai poata concura prin brandurile lor, ci doar prin scaderea preturilor, ceea ce poate stimula consumul.

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Atractivitatea este un concept mult prea subiectiv pentru a fundamenta reglementarile. Daca ingredientele fac tigarile mai atractive, cum se explica faptul ca in anumite tari vasta majoritate a fumatorilor prefera tigarile fara ingrediente, gasindu-le deci mai atractive decat pe cele cu ingrediente?

which option

No Change

access to tobacco products**problem definition**

No

explanations

Nu este mentionata nicio problema in ceea ce priveste distribuitoarele automate sau afisarea produselor la punctul de vanzare in legatura cu sanatatea publica sau functionarea pietei interne.

which option

No change

Government submission**identification****affiliation**

government

name

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country

POLAND

questions scope**problem definition**

No

explanations

n.a

which option

No change

**questions smokeless
problem definition**

No

comments

n.a

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

Government submission**identification****affiliation**

government

name

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country

GREECE

age

46

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

ΟΙ ΠΟΛΙΤΕΣ ΤΗΣ Ε.Ε. ΘΑ ΠΡΕΠΕΙ ΝΑ ΕΙΝΑΙ ΣΕ ΘΕΣΗ ΝΑ ΛΑΜΒΑΝΟΥΝ ΑΠΟ ΜΟΝΟΙ ΤΟΥΣ ΑΠΟΦΑΣΕΙΣ ΚΑΙ ΟΧΙ ΥΠΟ ΤΗ ΜΟΡΦΗ ΕΞΑΝΑΓΚΑΣΜΟΥ ΚΑΙ ΦΟΒΟΥ

which option

No change

**questions on reporting
problem definition**

No

explanations

ΟΙ ΑΝΑΦΟΡΕΣ ΠΡΕΠΕΙ ΝΑ ΔΙΝΟΝΤΑΙ ΞΕΧΩΡΙΣΤΑ ΑΠΟ ΤΑ ΜΕΛΗ ΤΗΣ Ε.Ε.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

ΕΙΣΑΓΩΓΗ ΚΟΙΝΟΥ ΤΥΠΟΥ ΣΥΣΤΑΤΙΚΩΝ ΣΕ ΕΠΙΠΕΔΟ Ε.Ε.

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

name

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country

POLAND

questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

questions on reporting

problem definition

No

explanations

n.a

which option

No change

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

access to tobacco products

problem definition

No

which option

No change

Government submission

identification

affiliation

government

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country

England

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

Extend the scope of the Directive to include all smoked products including herbal cigarettes. Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products.

questions smokeless

problem definition

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support

the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered

products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK.

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questions scope
problem definition
No

explanations
Kein Kommentar

which option
No change

questions smokeless
problem definition
No

comments
Kein Kommentar

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
Kein Kommentar

which option
No change

questions on reporting
problem definition
No

explanations
kein Kommentar

which option

No change

regulation of ingredients**problem definition**

No

explanations

Kein Kommentar

which option

No Change

access to tobacco products**problem definition**

No

explanations

Kein Kommentar

which option

No change

Government submission**identification****affiliation**

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Deutschland

questions scope**problem definition**

No

explanations

Kein Kommentar

which option

Extend the scope of the Directive

**questions smokeless
problem definition**

No

comments

Kein Kommentar

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

Kein Kommentar

which option

No change

**questions on reporting
problem definition**

No

explanations

Kein Kommentar

which option

No change

**regulation of ingredients
problem definition**

No

explanations

Kein Kommentar

which option

No Change

**access to tobacco products
problem definition**

No

explanations

Kein Kommentar

which option

No change

Government submission

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affiliation

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Poland

questions scope

problem definition

No

explanations

n.a

which option

No change

recommend option

n.a

additional comments

n.a

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

additional option

n.a

additional comments

n.a

questions consumer

problem definition

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

additional options

n.a

additional comments

n.a

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

additional option

n.a

additional comments

n.a

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

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Polska

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Ujednolicenie opakowań wyrobów tytoniowych oraz zwiększenie wielkości ostrzeżeń

zdrowotnych w taki sposób, że nie będzie możliwe pokazanie znaku towarowego naruszy prawo legalnych przedsiębiorców do odróżniania swoich produktów od produktów konkurencyjnych. Prawo unijne nie może być sprzeczne z prawem krajowym państwa członkowskiego.

which option

No change

questions on reporting

problem definition

No

explanations

brak komentarza

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Reglamentacja składu papierosów powinna eliminować takie dodatki, które zwiększają szkodliwość wyrobów tytoniowych.

which option

No Change

access to tobacco products

problem definition

No

explanations

Właściciele punktów sprzedaży mają prawo do wystawiania na widok swoich klientów, towarów, które oferują w sprzedaży. Wyroby tytoniowe są produktami legalnymi, dlatego też nie istnieje uzasadnienie ekonomiczne czy zdrowotne, aby nakazać schowania tych produktów w sklepach.

which option

No change

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affiliation

government

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questions scope**problem definition**

No

explanations

n.a

which option

No change

recommend option

n.a

additional comments

n.a

questions smokeless**problem definition**

No

comments

n.a

which option

No change

additional option

n.a

additional comments

n.a

questions consumer**problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

additional options

n.a

additional comments

n.a

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

additional option

n.a

additional comments

n.a

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

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government

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questions scope

problem definition

No

explanations

n.a

which option

No change

recommend option

n.a

additional comments

n.a

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

additional option

n.a

additional comments

n.a

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

additional options

n.a

additional comments

n.a

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

additional option

n.a

additional comments

n.a

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

Government submission

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government

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Latvia

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

recommend option

We propose to broaden the scope of the Directive with regard electronic and herbal cigarettes, imposing restrictions on the advertisement, sponsorship and smoking of these products.

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

We propose to define mandatory combined warning on all types of tobacco products, not only on the cigarettes and water pipes. We propose to place on package the information about the web page where it is possible to get help to quit smoking.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

additional options

We propose to establish EMTOC (electronic model tobacco control) system.

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

Government submission

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Italia

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Condivido lo spirito delle proposte, essendo la protezione della salute pubblica l'obiettivo primario della normativa. La possibile introduzione di una confezione neutra o generica si configura come una misura eccessiva e non proporzionale. Nè vi sono prove certe della sua efficacia; inoltre, gli effetti propulsivi sul commercio illecito renderebbero in realtà più difficile il contenimento del consumo e gli stessi obiettivi di salute dei cittadini. Prima di arrivare a vietare l'uso dei marchi vi sono infatti molte altre misure che possono essere adottate al fine di aumentare le tutele per la salute dei cittadini europei.

which option

No change

**questions on reporting
problem definition**

No

explanations

Ritengo che dovrebbe essere obbligatorio un formato comune di comunicazione degli ingredienti

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Certamente se venisse dimostrato che un particolare ingrediente aumenta la dannosità del fumo, andrebbe vietato. Ma un divieto generalizzato di ogni ingrediente, senza alcuna prova scientifica che ne attesti l'incidenza sull'attrattività o su una maggiore pericolosità del fumo, sarebbe a mio avviso una misura senza efficacia per la salute e discriminatoria. Infatti, le sigarette senza ingredienti, fumate dalla maggior parte della popolazione mondiale, non sono meno dannose di quelle con ingredienti (come dimostrano tutti i dati sanitari), mentre un tale divieto potrebbe indurre il consumatore a ritenere invece tali sigarette più sicure per la propria salute. Inoltre, tale divieto colpirebbe la coltivazione solo di determinati tipi di tabacco, con l'effetto di cancellare senza motivo migliaia di posti di lavoro agricolo in zone - come avviene in Italia - altrimenti destinate a scarso sviluppo.

which option

No Change

access to tobacco products

problem definition

No

explanations

Il problema dell'accesso dei giovani al fumo è grave e certamente richiede misure adeguate. Vietare l'esposizione di un prodotto del tutto legale, ancorchè dannoso, sarebbe una misura probabilmente eccessiva e lesiva del diritto di scelta del consumatore adulto. Il sistema di licenze vigente in Italia a mio avviso rappresenta, invece, un modello valido per garantire il controllo sulla rete di vendita, e quindi per impedire ai minori di acquistare prodotti del tabacco.

which option

No change

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age
59

gender
female

questions scope
problem definition
No

explanations
kein kommenzar

which option
No change

questions smokeless
problem definition
No

comments
kein kommentar

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
kein kommentar

which option
No change

questions on reporting
problem definition

No

explanations
kein kommentar

which option
No change

regulation of ingredients
problem definition
No

explanations
kein kommentar

which option
No Change

access to tobacco products
problem definition
No

explanations
keinkommentar

which option
No change

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questions scope
problem definition
No

explanations
kein Kommentar

which option
No change

questions smokeless
problem definition
No

comments
kein Kommentar

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
kein Kommentar

which option
No change

questions on reporting
problem definition
No

explanations
kein Kommentar

which option
No change

regulation of ingredients
problem definition
No

explanations
kein Kommentar

which option
No Change

access to tobacco products

problem definition

No

explanations

kein Kommentar

which option

No change

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questions scope

problem definition

No

explanations

kein kommentar

which option

No change

questions smokeless

problem definition

No

comments

kein kommentar

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations
kein kommentar

which option
No change

**questions on reporting
problem definition**
No

explanations
kein kommentar

which option
No change

**regulation of ingredients
problem definition**
No

explanations
kein kommentar

which option
No Change

**access to tobacco products
problem definition**
No

explanations
kein kommentar

which option
No change

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Poland

questions scope

problem definition

No

explanations

n.a

which option

No change

recommend option

n.a

additional comments

n.a

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

additional option

n.a

additional comments

n.a

questions consumer

problem definition

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

additional options

n.a

additional comments

n.a

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

additional option

n.a

additional comments

n.a

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

Government submission

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government

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Ålands Landskapsregering (Government of Åland)

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Finland

questions scope

problem definition

Yes

which option

No change

recommend option

Ålands landskapsregeringen tar inte ställning till fråga 1. På grund av avsaknaden av ett "no opinion" alternativ har "no change" valts.

questions smokeless

problem definition

No

comments

Ålands landskapsregering stöder alternativ 1 med förbehåll att konkurrensneutraliteten på Östersjön återställs genom att försäljning av snus ombord på fartyg på svenskt territorialvatten tillåts. Landskapsregeringen kan även stöda alternativ 2. Däremot motsätter sig landskapsregeringen alternativ 3. Landskapsregeringen angav i ett brev till Europeiska kommissionen den 10 September 2007 (Brev 77 K16 10/09/2007) att förbudet av snusförsäljning på fartyg registrerade i landskapet Åland kan inverka negativt på den åländska ekonomin. I brevet konstaterade landskapsregeringen "en sådan utveckling där infrastrukturell kärnverksamhet överförs till näraliggande ekonomier, ökar sårbarheten för åländskt näringsliv och därigenom också för landskapets ekonomi. En direkt följd skulle dessutom bli att beskattning och skatteinkomster överförs till svenska offentliga subjekt, vilket skulle medföra skatteinkomstbortfall för landskapet och dess kommuner". Nyligen publicerade uppgifter av Ålands Statistik och Utrednings Byrå (ÅSUB Rapport 2010:2) visar att dessa farhågor delvis har besannats. Enligt preliminära uppgifter från ÅSUB över den ekonomiska situationen på Åland kommer landskapets BNP-tillväxt att vara negativ 2008, 2009 och 2010. Även om den globala konjunkturnergången inverkar, är huvudorsaken utflaggningen av färj- och passagerartonnage. Utflaggningarna av fartyg ger enligt ÅSUBs bedömning en gradvis stigande förlust av statsskatt. Förutom förlusten av skattemedel innebär utflaggningarna även

sänkta lönenivåer för åländska sjöanställda, vilket i sin tur innebär en minskad efterfrågan i den åländska ekonomin. ÅSUB beräknar att utflaggningens inverkan på landskapets BNP år 2008 var -2 % och år 2009 hela -6%. Detta innebär att den uppskattade nedgången i BNP år 2008 motsvarar ca 23 miljoner Euro, år 2009 ca 68 miljoner euro (år 2007 var bruttonationalprodukten till marknadspris 1138,2 miljoner EUR). ÅSUB understryker även i en rapport om det allmänna konjunkturläget hösten 2009 att landskapet sannolikt haft en svag positiv tillväxt 2008-2010 utan utflaggningen av färj- och passagerartonnage. Det statistiska underlaget påvisar även att utflaggningen haft betydande effekter på kommunernas ekonomi. Under perioden 2008-2009 flaggades två fartyg ut med hänvisning till snusförsäljningsförbudet. På dessa fartyg har andelen anställda ålänningar sjunkit från 66 % år 2008 till 37 % år 2009. Samtidigt har de ombordanställda ålänningarnas andel av de totala förvärvsinkomsterna minskat från 2,5 % år 2008 till 2,0 % år 2009. Då de åländska kommunerna i huvudsak finansieras av skatteintäkter har utflaggningen av tonnage påverkat kommunernas ekonomi negativt. Landskapsregeringen konstaterar att den idag tillåtna försäljning av snus som bedrivs på Östersjön sker på svenskt territorialvatten ombord på fartyg registrerade i Sverige. En betydande del av denna försäljningen sker på rutter på vägen till Sverige. Enligt uppgifter som landskapsregeringen tagit del av återvänder följaktligen uppemot 90 procent av den totala snusförsäljningen till den svenska marknaden. Samtidigt visar en undersökning gjord av tillstånds- och tillsynsverket för social- och hälsovården att den genomsnittliga ransonen för de som tar in snus till Finland uppgår till 20 dosor (en dosa kan innehålla 10 gram, 24 gram eller 45 gram snus) per person. Därför anser landskapsregeringen att mängden snus som läcker ut på den inre marknaden ska betraktas som försumbar. Landskapsregeringen anser att nuvarande rättsläge rörande snusförsäljning på Östersjön inte överensstämmer med unionens principer rörande konkurrensneutralitet. Följaktligen anser landskapsregeringen att det föreligger anledning att problembeskrivningen beaktar de ekonomiska konsekvenserna av snusförbudet.

which option

No change

additional option

Statistikunderlaget från ÅSUB påvisar att utflaggningen av i synnerhet passagerartonnage haft betydande återverkningar inom landskapet. Underlaget fastställer dock inte huvudorsaken till utflaggningen däremot råder det enighet bland aktörer på marknaden att förbudet mot försäljning av snus på fartyg som är registrerade i landskapet utgör en bidragande orsak till den negativa utvecklingen. Därför anser landskapsregeringen att det föreligger skäl att återställa konkurrensneutraliteten på Östersjön. Mot bakgrund av det anförda anser landskapsregeringen att snusförsäljning ombord på fartyg som trafikerar Sverige ska tillåtas på svenskt territorialvatten. Landskapsregeringen understryker följaktligen vikten av en konkurrensneutral lösning på förestående problemformulering.

additional comments

Landskapsregeringen har tidigare konstaterat att rådande rättsläge har orsakat landskapet ekonomisk skada. Av denna anledning kan landskapsregeringen stöda att förbudet mot utsläppande av snus på den inre marknaden som anges i artikel 8 upphävs.

questions consumer

problem definition

Yes

which option

No change

additional option

Ålands landskapsregeringen tar inte ställning till fråga 3. På grund av avsaknaden av ett "no opinion" alternativ har "no change" valts.

questions on reporting**problem definition**

Yes

which option

No change

additional options

Ålands landskapsregeringen tar inte ställning till fråga 4. På grund av avsaknaden av ett "no opinion" alternativ har "no change" valts.

regulation of ingredients**problem definition**

Yes

which option

No Change

additional option

Ålands landskapsregeringen tar inte ställning till fråga 5. På grund av avsaknaden av ett "no opinion" alternativ har "no change" valts.

access to tobacco products**problem definition**

Yes

which option

No change

additional option

Ålands landskapsregeringen tar inte ställning till fråga 6. På grund av avsaknaden av ett "no opinion" alternativ har "no change" valts.

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Poland

questions scope**problem definition**

No

explanations

n.a

which option

No change

recommend option

n.a

additional comments

n.a

questions smokeless**problem definition**

No

comments

n.a

which option

Lifting the ban on snus

additional option

n.a

additional comments

n.a

questions consumer**problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

questions on reporting

problem definition

No

explanations

n.a

which option

No change

additional options

n.a

additional comments

n.a

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

additional option

n.a

additional comments

n.a

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

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affiliation

government

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Poland

questions scope

problem definition

No

explanations

n.a

which option

No change

recommend option

n.a

additional comments

n.a

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

additional option

n.a

additional comments

n.a

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

additional options

n.a

additional comments

n.a

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

additional option

n.a

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

Government submission**identification****affiliation**

government

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Poland

questions scope**problem definition**

No

explanations

n.a

which option

No change

recommend option

n.a

additional comments

n.a

questions smokeless**problem definition**

No

comments

n.a

which option

Lifting the ban on snus

additional option

n.a

additional comments

n.a

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

additional options

n.a

additional comments

n.a

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

additional option

n.a

additional comments

n.a

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

Government submission

identification

affiliation

government

name

Ewa Ławrynowicz

email

n.a

country

Poland

questions scope

problem definition

No

explanations

n.a

which option

No change

recommend option

n.a

additional comments

n.a

**questions smokeless
problem definition**

No

comments

n.a

which option

Lifting the ban on snus

additional option

n.a

additional comments

n.a

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

additional options

n.a

additional comments

n.a

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

additional option

n.a

additional comments

n.a

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

Government submission

identification

affiliation

government

name

Smylanakis Ioannis

email

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country

Greece

age

31

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

ΣΩΣΤΗ & ΥΠΕΥΘΥΝΗ ΕΝΗΜΕΡΩΣΗ ΠΑΝΩ ΣΤΑ ΠΑΚΕΤΑ

which option

No change

questions on reporting**problem definition**

No

explanations

ΕΙΣΑΓΩΓΗ ΚΟΙΝΟΥ ΤΥΠΟΥ ΣΥΣΤΑΤΙΚΩΝ ΣΕ ΕΠΙΠΕΔΟ Ε.Ε

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

ΑΠΟΔΕΙΞΗ ΤΗΣ ΕΛΚΥΣΤΙΚΟΤΗΤΑΣ ΚΑΙ ΕΘΙΣΤΙΚΟΤΗΤΑΣ ΜΕ ΕΠΙΣΤΗΜΟΝΙΚΕΣ ΜΕΛΕΤΕΣ

which option

No Change

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission**identification****affiliation**

government

name

Kleemann Jörg

email

jkleemann@gmx.net

country

Deutschland

age

28

gender

male

questions scope**problem definition**

Yes

which option

No change

additional comments

Irgendwann ist es einfach genug Bürger sollten noch selber entscheiden dürfen ob Sie rauchen trinken oder andere Sachen machen dürfen. Wie weit soll das denn noch gehen wir brauchen

nicht für alles ein Gesetz oder eine Vorschrift. Erwachsene Menschen ab 18 Jahren sollten selber entscheiden dürfen.

questions smokeless

problem definition

No

comments

Kein Kommentar

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Es sind die Nikotinwerte und Teerangaben auf der Packung angegeben so dass jeder Bürger weiß welche Stoffe beinhaltet sind und das ist völlig ausreichend.

which option

No change

questions on reporting

problem definition

No

explanations

Kein Kommentar

which option

No change

regulation of ingredients

problem definition

No

explanations

Kein Kommentar

which option

No Change

access to tobacco products

problem definition

No

explanations

In Deutschland muß jetzt schon jeder sich ausweisen bzw. sich einer Alterprüfung

unterziehen um am Automaten Zigaretten zu kaufen und die Maßnahme ist völlig ausreichend.

which option

No change

Government submission

identification

affiliation

government

name

Dietz Daniel

email

daniel.dietz@online.de

country

Germany

age

31

gender

male

questions scope

problem definition

No

explanations

No comment

which option

No change

questions smokeless

problem definition

No

comments

No comment

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

No comment

which option

No change

**questions on reporting
problem definition**

No

explanations

No comment

which option

No change

**regulation of ingredients
problem definition**

No

explanations

No comment

which option

No Change

**access to tobacco products
problem definition**

No

explanations

No comment

which option

No change

Government submission

identification

affiliation

government

name

Dietz Daniel

email

daniel.dietz@online.de

country

Germany

age

31

gender

male

questions scope**problem definition**

No

explanations

No comment

which option

No change

questions smokeless**problem definition**

No

comments

No comment

which option

No change

questions consumer**problem definition**

No

explanations

No comment

which option

No change

questions on reporting**problem definition**

No

explanations

No comment

which option

No change

regulation of ingredients

problem definition

No

explanations

No comment

which option

No Change

access to tobacco products

problem definition

No

explanations

No comment

which option

No change

Government submission

identification

affiliation

government

name

Dietz Daniel

email

daniel.dietz@online.de

country

Germany

age

31

gender

male

questions scope

problem definition

No

explanations

No comment

which option

No change

questions smokeless

problem definition

No

comments

No comment

which option

No change

questions consumer

problem definition

No

explanations

No comment

which option

No change

questions on reporting

problem definition

No

explanations

No comment

which option

No change

regulation of ingredients

problem definition

No

explanations

No comment

which option

No Change

access to tobacco products

problem definition

No

explanations

No comment

which option

No change

Government submission

identification

affiliation

government

name

Żak Zofia

email

silvergold75@op.pl

country

Poland

questions scope

problem definition

No

explanations

n.a

which option

No change

recommend option

n.a

additional comments

n.a

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

additional option

n.a

additional comments

n.a

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

additional options

n.a

additional comments

n.a

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

additional option

n.a

additional comments

n.a

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

Government submission

identification

affiliation

government

name

Katarzyna Słomalk

email

lo32awieria1intera.pl

country

poland

questions scope

problem definition

No

explanations

n.a

which option

No change

recommend option

n.a

additional comments

n.a

**questions smokeless
problem definition**

No

comments

n.a

which option

No change

additional option

n.a

additional comments

n.a

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

additional options

n.a

additional comments

n.a

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

additional option

n.a

additional comments

n.a

access to tobacco products**problem definition**

No

explanations

n.a

which option

No change

additional option

n.a

additional comments

n.a

Government submission**identification****affiliation**

government

name

Gmina Michalowice

email

sekretariat@michalowice.malopolska.pl

country

Poland

questions scope**problem definition**

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Plain packaging będzie naruszało prawa podmiotów gospodarczych, prawo znaków towarowych.

which option

No change

questions on reporting

problem definition

No

explanations

brak

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Reglamentacja dodatków spowoduje, że tytoń uprawiany w Polsce nie będzie się nadawał do produkcji papierosów. Wiele gospodarstw straci źródło utrzymania.

which option

No Change

access to tobacco products

problem definition

No

explanations

Dopóki papierosy są produktem legalnym, nie można ograniczać ich ekspozycji, która nie

narusza żadnych praw obywateli.

which option

No change

Government submission

identification

affiliation

government

name

Beate Martonné-Kunarski, Land of Berlin

email

beate.martonne-kunarski@senguv.berlin.de

country

Germania

age

53

gender

female

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Introduce generic or plain packaging

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Vending machines to be banned; Promotion and displays in retail stores to be banned

Government submission

identification

affiliation

government

name

Taurages Savivaldybė/ Municipality of Taurage

email

meras@taurage.lt

country

Lithuania

questions scope

problem definition

Yes

which option

No change

recommend option

Kovai su rūkymu turi būti pasitelktos ne emocijomis pagrįstos priemonės, o tokie veiksmai, kurie yra išbandyti ir efektyvūs: vykdoma nuosekli rūkymo prevencija nepilnamečių tarpe, sustiprinta cigarečių pardavimo kontrolė ir visuomenės švietimas apie rūkymo žalą sveikatai. Visi legaliai gaminami produktai turi būti prieinami vartotojams visose ES šalyse be ekstremalių apribojimų.

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Nėra jokių mokslu pagrįstų įrodymų, kad didesni vizualūs perspėjamieji paveikslėliai padėtų mesti rūkyti. Tą patį galima pasakyti ir apie visų tabako gaminių pakuotės suvienodinimą, padarant žalą prekės ženklui. Manome, kad dėl to nukentėtų prekybininkai, nes sugaištų daugiau laiko klientams aptarnauti, padidėtų kaštai bei būtų padaryta žala sąžiningai konkurencijai. Vienodos beveidės pakuotės atvertų dar platesnius kelius kontrabandai ir tabako gaminių padirbinėjimui. Tai smarkiai paveiktų smulkųjį ir vidutinį verslą. Mūsų savivaldybė randasi pasienio zonoje su Sovietų, tad tiesiogiai susiduriame su minėtomis problemomis.

which option

No change

questions on reporting**problem definition**

No

explanations

Tai turi būti palikta nuspręsti pačiam ES šaliai nariai, kokių ingredientų atskaitomybės priemonių šalis pageidauja imtis.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Nėra mokslu pagrįstų įrodymų, kad tabako ingredientai padaro produktą labiau patrauklų. Ingredientu draudimas be objektyvaus mokslinio pagrindo sudarytų sąlygas, kuriomis nebebūtų imanoma gaminti įprastinių šiuo metu Lietuvoje parduodamų cigarečių. Tai dar

labiau padidintų kontrabandinių cigarečių paklausą šalyje.

which option

No Change

access to tobacco products

problem definition

No

explanations

Nesutinkame su siūlymu uždrausti tabako gaminius matomai išdėstyti prekybos vietoje ar kaip nors kitaip riboti jų pateikimą vartotojams. Lietuvoje galiojantys teisės aktai draudžia tabako gaminių reklamą ir yra taikomos griežtos piniginės nuobaudos už tabako gaminių pardavimą nepilnamečiams. Šie draudimai jau yra įgyvendinti prekybos vietose. Legaliai parduodamo produkto pateikimas licencijas turinčiose prekybos vietose atlieka tik informacinę, o ne reklaminę funkciją. Vartotojai turi teisę išsirinkti jam priimtina legalų produktą. Toks radikalus, siūlomas svarstyti draudimas, tik padidintų "šešėlinę prekybą".

which option

No change

Government submission

identification

affiliation

government

name

Municipality of Iraklia Serron

email

info@dimosiraklias.gr

country

Grecce

questions scope

problem definition

Yes

which option

No change

recommend option

-

additional comments

-

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

additional option

-

additional comments

-

questions consumer

problem definition

No

explanations

Responsibility = correct information

which option

No change

additional option

-

additional comments

-

questions on reporting

problem definition

No

explanations

Insert common type ingredients at E.E.

which option

Establish a common compulsory reporting format

additional options

-

additional comments

-

regulation of ingredients

problem definition

No

explanations

Insert common type ingredients at E.E.

which option

No Change

additional option

-

additional comments

-

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

additional option

-

additional comments

-

Government submission**identification****affiliation**

government

name

konstantinidis dimitris nomarchiakos symvoulos Attilis

email

konstantinidis.dimitris@hotmail.com

country

Greece

age

46

gender

male

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
No

comments
no comments

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
no comments

which option
No change

questions on reporting
problem definition
No

explanations
no comments

which option
No change

regulation of ingredients
problem definition
No

explanations
no comments

which option
No Change

access to tobacco products
problem definition

No

explanations

no comments

which option

No change

Government submission

identification

affiliation

government

name

Asociación Provincial de Expendedores de Tabaco de Ciudad Real, organisation of retailers

email

info@serviestanco.es

country

España

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Health warnings to be put on water pipes

**questions on reporting
problem definition**

Yes

which option

Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned

Government submission

identification

affiliation

government

name

MARCIN KWIECIEŃ

email

n.a

country

POLAND

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

questions on reporting

problem definition

No

explanations

n.a

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

Government submission

identification

affiliation

government

name

Portsmouth City Council

email

linda.long@portsmouthcc.gov.uk

country

England

age

44

gender

female

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Introduce generic or plain packaging

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Tobacco display and promotion at points of sales to be restricted

Government submission**identification****affiliation**

government

name

Prof. Dr. Erik Schweickert, MdB, Spokesman of FDP

email

erik.schweickert.ma02@bundestag.de

country

Deutschland

age

38

gender

male

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

additional comments

Die Aufhebung des Snus-Verbots wird befürwortet, wenn Gesundheitswarnungen vorgenommen werden.

questions consumer

problem definition

No

explanations

Die Aussage zu den hellen Farben ist nachvollziehbar. Angaben zu Inhaltsstoffen sind zwingend notwendig.

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Health warnings to be put on water pipes

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Introducing the basic criteria on the EU level without a common list

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

Government submission**identification****affiliation**

government

name

hi

email

blabla@web.de

country

germany

age

18

questions scope**problem definition**

No

explanations

Kein Kommentar

which option

No change

recommend option

Kein Kommentar

additional comments

Kein Kommentar

questions smokeless**problem definition**

No

comments

Kein Kommentar

which option

No change

additional option

Kein Kommentar

additional comments

Kein Kommentar

**questions consumer
problem definition**

No

explanations

Kein Kommentar

which option

No change

additional option

Kein Kommentar

additional comments

Kein Kommentar

**questions on reporting
problem definition**

No

explanations

Kein Kommentar

which option

No change

additional options

Kein Kommentar

**regulation of ingredients
problem definition**

No

explanations

Kein Kommentar

which option

No Change

additional option

Kein Kommentar

additional comments

Kein Kommentar

**access to tobacco products
problem definition**

No

explanations

Kein Kommentar

which option

No change

additional option

Kein Kommentar

additional comments

Kein Kommentar

Government submission

identification

affiliation

government

name

Beck Ronald

email

beck-r-p-hasselroth@t-online.de

country

germany

age

45

gender

male

questions scope

problem definition

No

explanations

Eine Regulierung sollte immer auf Grundlage wissenschaftlicher Erkenntnisse erfolgen .

which option

No change

questions smokeless

problem definition

No

comments

Eine Regulierung sollte immer auf Grundlage wissenschaftlicher Erkenntnisse erfolgen

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

es existiert bereits ein allgemeines Bewusstsein der Risiken des Rauchers. Ein Hinzufügen von Bildern auf den Warnhinweisen erhöht dieses Bewusstsein nicht - die Bilder wirken lediglich überwiegend abstossend ohne eine zusätzliche Information zu bieten .

which option

No change

questions on reporting

problem definition

No

explanations

kein kommentar

which option

No change

regulation of ingredients

problem definition

No

explanations

kein kommentar

which option

No Change

access to tobacco products

problem definition

No

explanations

In 15 von 27 Mitgliedsstaaten sind Zigarettenautomaten erlaubt . Hier findet der Verkauf unter strengen gesetzlichen Auflagen statt , z.B. Deutschland Ausweisleser am Automaten.

Dieses Thema fällt aus meiner Sicht in die Zuständigkeit der einzelnen Staaten. Außerdem weist der Verkauf an Automaten keinen grenzüberschreitenden Bezug auf. Die Existenz von Zigarettenautomaten hat keinen nachweislichen Einfluss auf das Rauchverhalten Jugendlicher.

which option

No change

Government submission

identification

affiliation

government

name

Sebastian Kugler

email

sebi.619@web.de

country

Deutschland

questions scope

problem definition

No

explanations

kein kommentar

which option

No change

questions smokeless

problem definition

No

comments

kein kommentar

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

kein kommentar

which option

No change

questions on reporting

problem definition

No

explanations

kein kommentar

which option

No change

regulation of ingredients

problem definition

No

explanations

kein kommentar

which option

No Change

access to tobacco products

problem definition

No

explanations

kein kommentar

which option

No change

Government submission

identification

affiliation

government

name

Brunner Rainer

email

ralf_haertwig@gmx.de

country

Deutschland

questions scope
problem definition

No

explanations

Jede Form der Regulierung von Tabakerzeugnissen muss auf der Grundlage wissenschaftlicher Erkenntnisse sowie der zweifelsfrei gegebenen Rechtsetzungskompetenz der EU basieren. Die gilt auch für mögliche Regulierungen oder gar Verbote für nikotinhaltige Produkte , die keinen Tabak enthalten oder zigarettenähnliche Produkte (Kräuterzigaretten).

which option

No change

questions smokeless

problem definition

No

comments

Das EU - weite Verbot von Snus (Ausnahme Schweden) stellt eine massive Entmündigung der Bürger dar.

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Es gibt keine überzeugenden Beleg dafür , dass ein Warnhinweis umso wirksamer ist , je größer sei Format.

which option

No change

questions on reporting

problem definition

No

explanations

Ob die Behörden Schwierigkeiten bei Vergleich und Analyse der Daten haben oder die Erfassung und Analyse der gemeldeten Daten über Inhaltsstoffe erhebliche Ressourcen auf Seiten der zuständigen nationalen Behörden erfordern , wie von der Kommission dargestellt ,kann nicht beurteilt werden.

which option

No change

regulation of ingredients**problem definition**

No

explanations

Die Problemdarstellung ist keine Sachgerechte ,an wissenschaftlichen Prüfstrategien und Standarts orientierte und am Maßstab der Verhältnismäßigkeit ausgerichtete Diskussionsgrundlage.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Organisierte Kriminalität wird das Vakuum füllen , das entsteht , wenn legale Verkaufsbzw. Bezugsstellen verschwinden.

which option

No change

Government submission**identification****affiliation**

government

name

BOŻENA KWIECIEŃ

email

n.a

country

POLAND

questions scope**problem definition**

No

explanations

n.a

which option

No change

**questions smokeless
problem definition**

No

comments

n.a

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

**questions on reporting
problem definition**

No

explanations

n.a

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

Government submission

identification

affiliation

government

name

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country

Germany

age

61

gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

**questions on reporting
problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

Government submission

identification

affiliation

government

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country

poland

questions scope

problem definition

No

explanations

n/a

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n/a

which option

No change

questions on reporting

problem definition

No

explanations

n/a

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

n/a

which option

No Change

access to tobacco products

problem definition

No

which option

No change

Government submission

identification

affiliation

government

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Deutschland

questions scope

problem definition

No

explanations

Kein Kommentar

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Die jetztigen Hinweise sind völlig ausreichend

which option

No change

questions on reporting

problem definition

No

explanations

Kein Kommentar

which option

No change

regulation of ingredients

problem definition

No

explanations

Kein Kommentar

which option

No Change

access to tobacco products

problem definition

No

explanations

Die jetzigen Gesetze und Bestimmungen in Deutschland sind völlig ausreichend

which option

No change

Government submission

identification

affiliation

government

name

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N.A

country

POLAND

questions scope

problem definition

No

explanations

N.A

which option

No change

**questions smokeless
problem definition**

No

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

N.A

which option

No change

**questions on reporting
problem definition**

No

explanations

N.A

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

N.A

which option

No Change

**access to tobacco products
problem definition**

No

which option

No change

Government submission

**identification
affiliation**

government

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Deutschland

questions scope

problem definition

No

explanations

Jede Form der Regulierung von „Tabakerzeugnissen“ muss auf der Grundlage wissenschaftlicher Erkenntnisse sowie zweifelsfrei gegebenen Rechtssetzungskompetenz der EU basieren. Dies gilt auch für mögliche Regulierungen oder gar Verbote für nikotinhaltige Produkte, die keinen Tabak enthalten oder zigarettenähnliche Produkt (Kräuterzigaretten)

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Die jetzigen Warnhinweise reichen völlig aus!! Man muß nicht alles immer übertreiben und von einen extremen ins andere gehen.

which option

No change

questions on reporting

problem definition

No

explanations

Man sollte sich erst eine einheitliche vernünftige Lösung ausdenken wie man die Sachen am besten erfasst um Sie zu vergleichen, bevor man irgendetwas bestimmt weil so ist keinen geholfen

which option

No change

regulation of ingredients**problem definition**

No

explanations

Jeder sollte das rauchen dürfen was ihm am besten schmeckt den es ist immer noch ein Genußmittel somit müssen sich auch die Sorten unterscheiden in den Zusatzstoffen.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Man sollte lieber mal was gegen den hohen Schmuckelanteil unternehmen den in Deutschland sind die Bestimmungen am Automat und im freien Verkauf schon ausreichend den ohne Altersnachweiß bekommt keine Zigaretten.

which option

No change

Government submission**identification****affiliation**

government

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Italia

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting**problem definition**

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette.

Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

identification

affiliation

government

name

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country

Italy

questions scope

problem definition

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Riguardo alla proposta di aumentare la dimensione delle avvertenze sanitarie - Fumatori e non fumatori sono a conoscenza dei danni che il fumo può provocare alla loro salute. Inoltre, le avvertenze sanitarie occupano già una parte significativa del pacchetto con testi espliciti. E' poco probabile che aumentando le dimensioni e il posizionamento delle avvertenze sanitarie, anche in forma illustrata, aumenterebbe la consapevolezza della pericolosità del fumo.

Riguardo alla proposta di pacchetto generico – E' dubbio che la proposta di introduzione del cosiddetto “pacchetto neutro o generico” possa effettivamente contribuire ad aumentare il livello di tutela della salute pubblica e contribuire ad un più corretto funzionamento del mercato intero. Questa misura infatti, mai implementata in nessun paese del mondo, è stata in passato già rigettata dalle autorità sanitarie di Australia, Canada e Regno Unito. Gli argomenti presentati, chiarivano che i benefici in termini di salute pubblica erano quantomeno dubbi, mentre evidente sarebbe stato il danno per la proprietà intellettuale. Riteniamo invece che tale proposta possa avere serie conseguenze in termini di violazione delle leggi sulla tutela dei marchi e della proprietà intellettuale, di incentivo al commercio illegale e di organizzazione del mercato del tabacco. La proibizione sarebbe infatti nella pratica una espropriazione dei marchi, il cui valore equivale a percentuali che vanno dal 40% al 70% del valore di impresa secondo le stime più accreditate. Tale espropriazione avverrebbe in palese violazione dei trattati internazionali e delle normative europee e nazionali di tutela della proprietà intellettuale. Non avendo più la possibilità di competere sulla base delle caratteristiche intrinseche del prodotto, le aziende produttrici si troverebbero a poter competere solo sul prezzo. Il conseguente abbassamento dei prezzi ovviamente diventerebbe un elemento di disturbo alle politiche volte al miglioramento della salute pubblica e danneggerebbe la stabilità e l'efficacia della politica fiscale. Inoltre, l'imposizione di un confezionamento generico faciliterebbe e incentiverebbe il commercio illecito. Il pacchetto generico renderebbe innanzitutto molto più facile la contraffazione. E' ovvio che riprodurre un pacchetto in bianco e nero senza loghi o disegni caratterizzanti sarebbe molto più semplice che riprodurre uno complesso. Distrutti tali elementi, il lavoro dei contraffattori viene incredibilmente semplificato. Inoltre, la presenza di prodotti dall'imballaggio generico renderebbe più appetibili prodotti di contrabbando provenienti da paesi dove si è conservato il diritto di caratterizzare i pacchetti con i segni distintivi del marchio.

which option

No change

questions on reporting

problem definition

No

explanations

Nella definizione del problema, non è affrontata in maniera esauriente la parte relativa a "tasse e sanzioni". Gli Stati Membri, infatti, hanno già il potere autonomo di imporre tasse di registrazione o sanzioni per il mancato rispetto delle norme sancite dalla Direttiva. Ed è opportuno, anche per ragioni giuridiche, che questo potere rimanga prerogativa degli Stati Membri. Diverso è il discorso sul formato comune di trasmissione della lista degli ingredienti: è opportuno infatti uniformare questo strumento, che faciliterebbe il compito di analisi da parte delle competenti autorità nazionali.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

La regolamentazione dell'uso degli ingredienti è corretta e opportuna. Non è tuttavia accettabile che tale regolamentazione sia basata su criteri puramente soggettivi ed aleatori come l'attrattiva e/o l'aumento della assuefazione. Quasi tutti gli ingredienti, infatti, non producono un gusto caratterizzante che risulti particolarmente attrattivo, in particolare per i minori. Il più delle volte gli ingredienti sono aggiunti perché funzionali alla lavorazione del tabacco. Del resto, le sigarette che non contengono ingredienti o che ne contengono pochi non sono meno dannose di quelle che contengono gli ingredienti. Tra i paesi in cui si consumano prodotti con ingredienti e paesi in cui si preferiscono prodotti senza ingredienti i tassi di iniziazione al fumo, di malattia e mortalità sono pressoché identici. Un approccio corretto sarebbe quello di basare la regolamentazione dell'uso di ingredienti su evidenze certe e criteri scientifici. Un approccio, tral'altro, che è stato sostenuto nel 2001 dall'Institute of Medicine nel report "Clearing the Smoke: Assessing the Science Base for Tobacco Harm Reduction", secondo cui la verifica della tossicità degli ingredienti dovrebbe essere condotta "con l'obiettivo di identificare quegli ingredienti che non aggiungono significativa tossicità ai prodotti di tabacco". Non si può inoltre tralasciare che la proibizione degli ingredienti avrebbe conseguenze significative sull'economia dell'intera filiera del tabacco. Tale aspetto è particolarmente rilevante per il ministero dell'Economia, che si preoccupa della competitività del proprio paese e del dinamismo della propria industria. La proibizione danneggerebbe significativamente la nostra produzione tabacchicola, intesa come impiego dei tabacchicoltori e creazione di valore nella catena produttiva conseguente. Il danno all'economia dovrebbe essere giustificato dalla certezza scientifica che la normativa migliorerebbe la salute pubblica al livello dell'Unione europea.

which option

No Change

access to tobacco products

problem definition

No

explanations

L'esperienza e l'evidenza dimostrano che aggiungere ulteriori divieti a mercati già molto regolamentati rischia di produrre effetti persino contrari a quelli sperati. E' questo, in particolare, il caso dell'accesso ai prodotti di tabacco. Impedire l'acquisto attraverso i distributori automatici o persino vietare la visibilità dei prodotti al punto vendita appare un'iniziativa sterile e non necessaria. Per di più recherebbe ripercussioni significative sia sugli introiti sia sulla sicurezza e la gestione dei punti vendita. In particolare, questa misura rischierebbe di incidere negativamente sui piccoli rivenditori, che potrebbero andare incontro ad una drastica riduzione dei volumi, a scapito dei rivenditori più grandi e del mercato nero. Inoltre questa norma appare inconciliabile con il diritto alla concorrenza sancito dalla legislazione nazionale ed europea, rendendo virtualmente impossibile introdurre nuovi prodotti sui mercati, avvantaggiando quelli già esistenti. Studi sull'efficacia del divieto di esposizione dei prodotti al punto vendita mostrano piuttosto che sono in particolare le misure di prezzo a produrre una riduzione del tasso di fumatori. Vale la pena ricordare che misure efficaci per limitare l'accesso dei minori ai prodotti del tabacco sono già in vigore nei paesi che, come l'Italia, hanno mantenuto condizioni di controllo della catena della distribuzione e vendita dei tabacchi. In Italia, l'implementazione combinata di un divieto di vendita ai minori stabilito per legge, di un sistema di licenza per la vendita dei tabacchi, della proibizione delle vendite tramite Internet e di sistemi di limitazione d'accesso ai distributori automatici creano un forte disincentivo al fumo minorile. Invece di destabilizzare questo sistema, sarebbe probabilmente più appropriato espanderlo ad altre realtà in Europa.

which option

No change

Government submission**identification****affiliation**

government

name

RUDOLF RYGOL

email

n.a

country

POLAND

questions scope**problem definition**

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

access to tobacco products

problem definition

No

which option

No change

Government submission

identification
affiliation
government

name
JOANNA CIAK

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country
POLAND

questions scope
problem definition
No

explanations
n.a

which option
No change

questions smokeless
problem definition
No

comments
n.a

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
n.a

which option
No change

questions on reporting
problem definition
No

explanations
n.a

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

n.a

which option

No Change

access to tobacco products**problem definition**

No

explanations

n.a

which option

No change

Government submission**identification****affiliation**

government

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Deutschland

questions scope**problem definition**

No

explanations

Es gibt keine wissenschaftliche Beweise das diese Produkte schädlich sind.

which option

No change

**questions smokeless
problem definition**

No

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

Durch diese Maßnahmen würden nur wieder unnötig viele Arbeitsplätze vernichtet ohne jeglichen Beweise das der Konsum zurück gehen würde durch diese Maßnahme.

which option

No change

**questions on reporting
problem definition**

No

explanations

Die Mitgliedstaaten selbst sind gefordert, zusammen mit der Wirtschaft einen pragmatischen Weg zu diskutieren und umzusetzen. Ein notwendiger Handlungsbedarf fordert ein Mandat der Kommission zum Eingriff in bestehenden nationalen Abläufen wird nicht ersichtlich.

which option

No change

**regulation of ingredients
problem definition**

No

explanations

Der Begriff „attraktiv“ ist ein subjektives Kriterium für ein Verbot oder eine Regulierung von Zusatzstoffen und entbehrt jeglicher wissenschaftlicher Grundlage.

which option

No Change

**access to tobacco products
problem definition**

No

which option

No change

Government submission

identification

affiliation

government

name

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NA

country

POLAND

questions scope

problem definition

No

explanations

N.A

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

N.A

which option

No change

questions on reporting

problem definition

No

explanations

N.A

which option

No change

regulation of ingredients**problem definition**

No

explanations

N.A

which option

No Change

access to tobacco products**problem definition**

No

which option

No change

Government submission**identification****affiliation**

government

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country

UK

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

additional comments

We recommend the following: + Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same

way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products

**questions smokeless
problem definition**

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco

packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK. .

Government submission**identification****affiliation**

government

name

paweł orłowski

email

na

country

poland

questions scope**problem definition**

No

explanations

N.A

which option

No change

questions smokeless**problem definition**

No

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

N.A

which option

No change

**questions on reporting
problem definition**

No

explanations

N.A

which option

No change

**regulation of ingredients
problem definition**

No

explanations

N.A

which option

No Change

**access to tobacco products
problem definition**

No

which option

No change

Government submission

identification

affiliation

government

name

Rottkamp Martin

email

carmenhirsch@t-online.de

country

Deutschland

questions scope

problem definition

No

explanations

Diese Produkt wurden keiner Wissenschaftlichen Bewertung unterzogen.

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Es wird pauschal unterstellt, dass die Einführung von Bildwarnhinweisen auf das Rauchverhalten der Verbraucher einwirkt. Dafür werden allerdings keine Nachweise aus den Ländern geliefert, in denen Bildwarnhinweise bereits verpflichtend eingeführt wurden.

which option

No change

questions on reporting

problem definition

No

explanations

Kein Kommentar

which option

No change

regulation of ingredients

problem definition

No

explanations

Der Begriff „attraktiv“ ist ein subjektives Kriterium für ein Verbot oder eine Regulierung von Zusatzst

offenundentbehrtegleicherwissenschaftlicherGrundlage.

which option

No Change

access to tobacco products

problem definition

No

which option

No change

Government submission

identification

affiliation

government

name

ROMAN CZAJA

email

n.a

country

POLAND

questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

**questions on reporting
problem definition**

No

explanations

n.a

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

Government submission

**identification
affiliation**
government

name
Union of Prefectural Authorities of Greece

email

ena@otenet.gr

country

Greece

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional option

Ήδη επιτρέπεται σε χώρες όπως οι ΗΠΑ και η Σουηδία, καθότι υπάρχει επαρκής επιστημονική τεκμηρίωση που αποδεικνύει ότι το προϊόν αυτό είναι λιγότερο βλαβερό από τα συμβατικά τσιγάρα.

questions consumer**problem definition**

No

explanations

Οι καταναλωτές είναι ήδη εδώ και πολλά χρόνια ενημερωμένοι για τις βλαβερές συνέπειες του καπνίσματος και δεν χρειάζονται αποκρουστικές εικόνες πάνω στα πακέτα. Η σωστή και υπεύθυνη ενημέρωση και όχι ο φόβος είναι αυτό που χρειάζεται ο υπεύθυνος καταναλωτής. Επίσης, το υπό αξιολόγηση μέτρο της θέσπισης "γενικής συσκευασίας-plain packaging" στα προϊόντα καπνού θα πλήξει το εμπόριο, την βιομηχανία, τα κρατικά έσοδα, ενώ θα αυξηθεί το παράνομο εμπόριο. Ο ανταγωνισμός των εταιρειών καπνού θα γίνεται αποκλειστικά στην τιμή, με αποτέλεσμα να καθίστανται φθηνότερα και, συνεπώς, περισσότερο προσβάσιμα από τους καπνιστές και ιδιαίτερα τους νέους. Άρα, δεν υπάρχει όφελος για την δημόσια υγεία.

which option

No change

questions on reporting**problem definition**

No

explanations

Η εφαρμογή ρυθμίσεων όπως η επιβολή τελών και ποινών για την εφαρμογή συστατικών θα πρέπει να είναι σε επίπεδο Κράτους Μέλους και όχι ΕΕ. Η εισαγωγή όμως ενός κοινού, εναρμονισμένου τύπου αναφοράς, σε ηλεκτρονική βάση, συστατικών σε επίπεδο ΕΕ, μας βρίσκει σύμφωνους.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Το μέτρο αυτό θα οδηγήσει στην ολική εξάλειψη των καπνών ανατολικού τύπου και αντίκειται στους κανόνες του υγιούς ανταγωνισμού χωρίς να προσφέρει οποιοδήποτε όφελος στην δημόσια υγεία, στον βαθμό που οι βλαβερές συνέπειες του καπνίσματος δεν οφείλονται στα πρόσθετα. Οποιαδήποτε θέσπιση ρύθμισης για τα συστατικά σε επίπεδο ΕΕ απαιτείται να βασίζεται σε επιστημονικά στοιχεία, και όχι στην έννοια της "ελκυστικότητας" που αναφέρετε και η οποία δεν μπορεί να αξιολογηθεί με επιστημονικά δεδομένα.

which option

No Change

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults

Government submission**identification****affiliation**

government

name

Prefectural Authority of Drama-Kavala-Xanthi

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country

Greece

**questions scope
problem definition**

Yes

which option

No change

**questions smokeless
problem definition**

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

Οι καταναλωτές είναι ήδη εδώ και πολλά χρόνια ενήμεροι για τις βλαβερές συνέπειες του καπνίσματος και δεν χρειάζονται αποκρουστικές εικόνες πάνω στα πακέτα. Η σωστή και υπεύθυνη ενημέρωση και όχι ο φόβος είναι αυτό που χρειάζεται ο υπεύθυνος καταναλωτής. Επίσης, το θπό αξιολόγηση μέτρο της θέσπισης "γενικής συσκευασίας-plain packaging" στα προϊόντα καπνού θα πλήξει το εμπόριο, την βιομηχανία, τα κρατικά έσοδα, ενώ θα αυξηθεί το παράνομο εμπόριο. Ο ανταγωνισμός των εταιρειών καπνού θα γίνεται αποκλειστικά στην τιμή, με αποτέλεσμα να καθίστανται φθηνότερα και, συνεπώς, περισσότερο προσβάσιμα από τους καπνιστές και ιδιαίτερα τους νέους. Άρα, δεν υπάρχει όφελος για την δημόσια υγεία.

which option

No change

**questions on reporting
problem definition**

No

explanations

Η εφαρμογή ρυθμίσεων όπως η επιβολή τελών και ποινών για την εφαρμογή συστατικών θα πρέπει να είναι σε επίπεδο Κράτους Μέλους και όχι ΕΕ. Η εισαγωγή όμως ενός κοινού, εναρμονισμένου τύπου αναφοράς, σε ηλεκτρονική βάση, συστατικών σε επίπεδο ΕΕ, μας βρίσκει σύμφωνους.

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

Το μέτρο αυτό θα οδηγήσει στην ολική εξάλειψη των καπνών ανατολικού τύπου και αντίκειται στους κανόνες του υγιούς ανταγωνισμού χωρίς να προσφέρει οποιοδήποτε όφελος στην δημόσια υγεία, στον βαθμό που οι βλαβερές συνέπειες του καπνίσματος δεν οφείλονται στα πρόσθετα. Οποιαδήποτε θέσπιση ρύθμισης για τα συστατικά σε επίπεδο ΕΕ απαιτείται να βασίζεται σε επιστημονικά στοιχεία, και όχι στην έννοια της "ελκυστικότητα" που αναφέρετε και η οποία δεν μπορεί να αξιολογηθεί με επιστημονικά δεδομένα.

which option

No Change

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults

Government submission**identification****affiliation**

government

name

National Institute for Health Development, Hungarian Focal Point for Tobacco Control

email

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country

HUNGARY

gender

male

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

additional comments

Include the tobacco leaf into the Directive.

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Tobacco display and promotion at points of sales to be restricted

Government submission

identification

affiliation

government

name

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FAMILIEN :ROSE@GMX:DE

country

GERMANY

age

45

gender

male

questions scope

problem definition

No

explanations

KEINKOMENTAR

which option

No change

questions smokeless

problem definition

No

comments

KEIN KOMENTAR

which option

No change

questions consumer

problem definition

No

explanations

KEIN KOMENTAR

which option

No change

questions on reporting

problem definition

No

explanations

KEIN KOMENTAR

which option

No change

regulation of ingredients

problem definition

No

explanations

KEIN KOMENTAR

which option

No Change

access to tobacco products

problem definition

No

explanations

KEIN KOMENTAR

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission

identification

affiliation

government

name

Corina Cretu

email

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country
Romania

gender
female

questions scope
problem definition
Yes

which option
No change

additional comments
Noile forme de tutun oral ar trebui interzise doar daca se va demonstra ca sunt mai nocive decat tigarile.

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
Marirea pictogramelor nu inseamna automat cresterea eficientei lor. In ceea ce priveste "plain packaging", este greu de crezut ca aspectul pachetului de tigari are vreun impact asupra consumului, care se explica in primul rand prin dependenta de nicotina.

which option
No change

questions on reporting
problem definition
Yes

which option
Establish a common compulsory reporting format

regulation of ingredients
problem definition
No

explanations
In caz ca ingredientele vor fi interzise, fumatorii vor fi indusi in eroare prin faptul ca vor percepe tigaretile fara ingrediente ca fiind mai putin nocive decat cele cu ingrediente.

Ingredientele nu ar trebui interzise decat daca se demonstreaza ca duc la cresterea nocivitatii produselor din tutun.

which option

No Change

access to tobacco products

problem definition

No

explanations

Nu este definita nicio problema in legatura cu interzicerea afisarii produselor din tutun la punctul de vanzare.

which option

No change

additional comments

De acord cu restrictiile privitoare la vanzarile pe internet sau la distribuitorile automate, dar nu si cu restrictionarea/interzicerea afisarii produselor la punctul de vanzare.

Government submission

identification

affiliation

government

name

EMILIA CHROMICZ

email

n.a

country

POLAND

questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

**questions on reporting
problem definition**

No

explanations

n.a

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

Government submission

identification

affiliation

government

name

Valeriu Steriu, ex-Deputy Minister of Agriculture

email

valeriu@steriu.ro

country

Romania

age

45

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Introducerea pachetelor generice face cvasi-imposibila diferentierea marcilor si ingreuneaza considerabil lansarea unui produs nou. Este o masura anti-concurentiala, care contravine atat legislatiei din Romania, cat si principiilor pietei interne. Marirea pictogramelor lasa insuficient spatiu pe pachet pentru afisarea elementelor specifice marcii si incalca drepturile de proprietate intelectuala ale producatorilor.

which option

No change

additional comments

Informatiile privind gudronul, nicotina si CO trebuie pastrate si pot fi eventual completate cu informatii despre substantele nocive din produsele in tutun.

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

In Romania, tigarelele American Blend, cu ingrediente, reprezinta 98% din piata de tigarete. Interzicerea ingredientelor va stimula cererea de produse American Blend provenind din contrabanda sau contrafacere. Aceste produse sunt o sursa ieftina si nereglementata de tutun care submineaza insusi obiectivul de sanatate vizat.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Expunerea produselor la punctul de vanzare este un mijloc de informare a consumatorilor si ofera producatorilor posibilitatea de a concura corect. Interzicerea expunerii echivaleaza cu sfarsitul unei concurente corecte si va determina producatorii sa concureze la pret. Masura contravine cadrului de concurenta din UE si din Romania.

which option

No change

Government submission**identification****affiliation**

government

name

ROUVA XRISTIANNA

email

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country
GREECE

age
24

gender
female

questions scope
problem definition
No

explanations
NO COMMENT

which option
No change

recommend option
NO COMMENT

additional comments
NO COMMENT

questions smokeless
problem definition
No

comments
NO COMMENT

which option
Lifting the ban on snus

additional option
NO COMMENT

additional comments
NO COMMENT

questions consumer
problem definition
No

explanations
NO COMMENT

which option

No change

additional option

NO COMMENT

additional comments

NO COMMENT

questions on reporting

problem definition

No

explanations

NO COMMENT

which option

Establish a common compulsory reporting format

additional options

NO COMMENT

additional comments

NO COMMENT

regulation of ingredients

problem definition

No

explanations

NO COMMENT

which option

No Change

additional option

NO COMMENT

additional comments

NO COMMENT

access to tobacco products

problem definition

No

explanations

NO COMMENT

which option

No change

additional option

NO COMMENT

additional comments

NO COMMENT

Government submission

identification

affiliation

government

name

BĄCZKOWSKI JAROSŁAW

email

N.A

country

POLAND

questions scope

problem definition

No

explanations

N.A

which option

No change

questions smokeless

problem definition

No

comments

N.A

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

N.A

which option

No change

questions on reporting

problem definition

No

explanations

N.A

which option

No change

regulation of ingredients

problem definition

No

explanations

N.A

which option

No Change

access to tobacco products

problem definition

No

which option

No change

Government submission

identification

affiliation

government

name

NHS Knowsley, NGO

email

christine.owens2@knowsley.nhs.uk

country

United Kingdom

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

NHS Knowsley think it appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. This is because it is the combustion process and inhalation of smoke that causes most of the harm from smoking. We would therefore ask that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. As such products are usually marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be placed under the same regulatory framework as pharmaceutical products, rather than under the scope of the tobacco products directive. How nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA). This follows a public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may prove useful to the Commission in developing its policy on these products.

questions smokeless**problem definition**

Yes

which option

No change

additional comments

NHS Knowsley recommend that smokeless products that are not currently illegal, particularly those used by ethnic minority populations, are more tightly regulated. However we do not support a total ban on such products. Whilst we recognise that such products are harmful, we feel that the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer support to quit.

questions consumer**problem definition**

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

We strongly recommend that picture warnings should be mandatory, placed on the upper portion of the packs occupying a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The fact that some Member States have adopted picture warnings and whilst others have not has created uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. Picture warnings also help deter young people from starting to smoke. Picture warnings are more effective than written warnings. All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Thus demonstrating that there is widespread support for this. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. NHS Knowsley support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. A quitline telephone service number should also be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should also include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. There is, however, a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not actually tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging NHS Knowsley recommend the introduction of plain or generic packaging. Not only should this include the removal of all branding from the packaging, but the size and shape of the packaging should also be standardised. This prevent the promotion of smoking through branding as occurs presently and would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others.

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation makes it difficult for authorities to analyse and compare data as different formats and reporting mechanisms can be used. A requirement that a standard reporting format should be used by all tobacco companies. The cost of administering this data collection could be met from the payment of yearly registration fee paid by all tobacco companies. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. NHS Knowsley therefore support the adoption of a positive common list of tobacco ingredients. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. Any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

Finland's recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. NHS Knowsley support this measure. Point of Sale. NHS Knowsley support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK.

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government

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country

deutschland

age

59

Government submission**identification****affiliation**

government

name

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country

Italia

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting**problem definition**

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità

dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

identification

affiliation

government

name

Comune di Castelvoturno

email

sindaco@comune.castelvoturno.ce.it

country

Italia

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting**problem definition**

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

identification**affiliation**

government

name

Urząd Gminy Potok Górny

email

gmina_potok_g@wp.pl

country

Polska

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy (ułatwienie podrobienia prostych opakowań) i przynieść negatywne konsekwencje gospodarcze i społeczne plantatorom tytoniu oraz przedsiębiorcom legalnie handlującym wyrobami tytoniowymi

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

wprowadzenie proponowanego zakazu stosowania dodatków w produkcji papierosów może doprowadzić do eliminacji z uprawy odmiany Burley. Przepisy powinny iść w kierunku reglamentacji tylko tych dodatków, które zwiększają toksyczność i uzależnienie od papierosów, nie powinny natomiast eliminować dodatków potrzebnych w procesie technologicznym produkcji papierosów.

which option

No Change

access to tobacco products**problem definition**

No

explanations

wprowadzenie zakazu pokazywania papierosów w sklepach przyczyni się do pogorszenia się ekonomicznej sytuacji tych placówek, może przenieść część konsumpcji na nielegalne papierosy oraz utrudni egzekucję prawa przez odpowiednie służby jak policja (np. egzekwowanie zakazu sprzedaży papierosów nieletnim)

which option

No change

Government submission**identification****affiliation**

government

name

COMUNE DI SANTA MARIA LA FOSSA

email

antoniopapa@alice.it

country

ITALIA

questions scope**problem definition**

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting

problem definition

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission**identification****affiliation**

government

name

Biermann Jürgen

email

xbiermann@aol.com

country

Germany

age
44

gender
male

questions scope
problem definition
No

explanations
No Comment

which option
No change

questions smokeless
problem definition
No

comments
No Comment

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
No Comment

which option
No change

questions on reporting
problem definition
No

explanations
No Comment

which option
No change

regulation of ingredients
problem definition
No

explanations

No Comment

which option

No Change

access to tobacco products**problem definition**

No

explanations

No Comment

which option

No change

Government submission**identification****affiliation**

government

name

Jacek Wadas

email

jacek_wadas@pl.imptob.com

country

Poland

age

45

gender

male

questions scope**problem definition**

No

explanations

The problem definition is incorrect, vague and unclear. It fails to provide any scientific basis or evidence for the different options considered in this section

which option

No change

**questions smokeless
problem definition**

No

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

THE PROBLEM IS DEFINED OVERLY NARROWLY, AND SO FAILS TO IDENTIFY RELEVANT POLICY OPTIONS

which option

No change

**questions on reporting
problem definition**

No

explanations

NO EVIDENCE PROVIDED FOR THE DIFFERENT OPTIONS DISCUSSED IN THIS SECTION.

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

THE PROBLEM DEFINITION INCORRECTLY DEFINES THE USE OF INGREDIENTS.

which option

No Change

**access to tobacco products
problem definition**

No

which option

No change

Government submission

identification**affiliation**

government

name

National Institute of Public Health of the Republic of Slovenia

email

helena.koprivnikar@ivz-rs.si

country

Slovenia

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

recommend option

Beside harmonized safety and quality requirements there is a need for harmonized classification of these products (most evident in the case of electronic cigarettes).

additional comments

No.

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

additional option

We believe Option 3 – Ban on all types of smokeless tobacco products - addresses the problem most effectively. We do not support wide availability of these products. In case there would be enough data to support the role of these products in smoking cessation, these products should be classified as such. We find Option 1 – No change - an acceptable option in case Option 3 is not widely supported, but we definitely do not support Option 2 – Lifting the ban on snus.

additional comments

No.

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

No.

questions on reporting

problem definition

No

explanations

Based on our experiences we would like to add the following to the description of the problem: - a number of different formats and reporting mechanisms (no obligatory format) result in the problem with organizing, comparing, analyzing and public dissemination of the information, but also pressure from tobacco industry because of trade secrets.

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional options

No.

additional comments

By establishing a common compulsory reporting format we have in mind already proposed harmonised reporting formats by the Commission in 2007 combined with electronic submission for both regulators and general public which would resolve the problem of data dissemination and trade secrets. Fees and sanctions should resolve probably at least a part of the problem with resources for this task.

regulation of ingredients

problem definition

No

explanations

we would like to add the following: Regulation of attractive substances in tobacco products is highly important in prevention of smoking initiation and continuation among adolescents.

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

additional option

We believe that Member States should have the right to include additional substances to the negative list nationally in case they find this necessary to protect public health.

access to tobacco products

problem definition

No

explanations

In general we agree with the problem definition, but we would also like to emphasize the importance of a large number of tobacco products sales points which increase the accessibility of tobacco products and the need to address this issue.

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

There is a need for measures to reduce tobacco products sales points.

Government submission

identification

affiliation

government

name

Urząd Gminy w Opatowcu, ul. Rynek 3, 28-520 Opatowiec (Wójt Gminy)

email

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country

Poland

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

Yes

which option

No change

questions on reporting**problem definition**

No

explanations

Reglamentacja stosowania dodatków w produkcji papierosów nie powinna obejmować tych dodatków, które przygotowują tytoń do produkcji (blaszka liściowa - wilgotność i elastyczność)

which option

No change

regulation of ingredients**problem definition**

No

explanations

Sprzedaż papierosów odbywa się pod kontrolą. Nieuzasadnione jest wprowadzenie dodatkowych restrykcji w postaci zakazu ekspozycji. Może przynieść to efekt odwrotny do zamierzonego - utrudniona zostanie kontrola legalności sprzedaży wyrobów tytoniowych.

which option

No Change

access to tobacco products**problem definition**

No

which option

No change

Government submission**identification****affiliation**

government

name

Urząd Gminy w Gdowie

email

psgv@gdow.pl

country

Polska

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

No

explanations

Wprowadzenie plain packing będzie stanowiło naruszenie praw legalnych podmiotów.

which option

No change

questions on reporting

problem definition

No

explanations

brak komentarza

which option

No change

regulation of ingredients

problem definition

No

explanations

brak komentarza

which option

No Change

access to tobacco products

problem definition

No

explanations

Wyroby tytoniowe są produktem legalny i sprzedawca ma prawo do wystawiania w sklepie takiego towaru.

which option

No change

Government submission

identification

affiliation

government

name

Urząd Miejski w Bierutowie

email

viceburmistrz@bierutow.pl

country

Polska

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Zawarte w tej części propozycje, w szczególności wprowadzenie obowiązkowego jednolitego

wzoru i formatu dla wszystkich paczek papierosów (np. czarno-białe paczki) rodzi obawy, że producenci papierosów będą konkurować głównie ceną, co może negatywnie przełożyć się na ceny skupu surowca tytoniowego od plantatorów. Dodatkowo istnieje obawa, że czarno-białe paczki będą znacznie łatwiejsze do podrabiania.

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Proponowane ograniczenia w produkcji papierosów rodzą obawy, że wprowadzony zostanie zakaz stosowania dodatków, które przygotowują tytoń do dalszej obróbki w produkcji. Zakaz taki może doprowadzić do eliminacji z produkcji i uprawy tytoniu odmiany Burley, która jest jedną z głównych odmian tytoniu uprawianych w Polsce. Kryteria reglamentowania dodatków w produkcji powinny wyłączać spod znaku te dodatki, które są niezbędne do produkcji.

which option

No Change

access to tobacco products

problem definition

No

explanations

Wprowadzenie zakazu ekspozycji papierosów w legalnych punktach sprzedaży nie jest uzasadnione, ani ekonomicznie, ani zdrowotnie. Ograniczenia w tradycyjnej dystrybucji papierosów mogą doprowadzić do przeniesienia handlu papierosami do nielegalnego obiegu. Spadek legalnej sprzedaży będzie prowadzić do pogorszenia się sytuacji ekonomicznej legalnych sklepów oraz zmniejszenia legalnego popytu na tytoń uprawiany przez polskich rolników.

which option

No change

Government submission

identification

affiliation

government

name

Starostwo Powiatowe w Kazimierzy Wielkiej

email

starosta@powiat.kazimierzaw.pl

country

Kazimierza Wielka

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Proste, czarno białe opakowanie będzie łatwiej podrabiać, wzrośnie także przemyt. To oznacza mniejsze zapotrzebowanie na uprawiany przez polskich plantatorów tytoń. Państwa Uni Europejskiej nie osiągną efektów zdrowotnych, stracą natomiast budżety. Wzronie także zagrożenie z przemykania i podrabiania papierosów.

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Reglamentacja stosowania dodatków w produkcji papierosów nie powinna obejmować tych dodatków które przygotowywują tytoń do produkcji i nadają mu odpowiednie właściwości.

which option

No Change

access to tobacco products

problem definition

No

explanations

Sprzedaż papierosów już dziś odbywa się pod kontrolą (zakaz sprzedaży osobom nieletnim)

which option

No change

Government submission

identification

affiliation

government

name

COMUNE DI MONDRAGONE

email

sindaco@mondragone.net

country

italia

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting**problem definition**

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission**identification****affiliation**

government

name

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country

Italia

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

**questions on reporting
problem definition**

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza

ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60. 000 addetti alla coltivazione di

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

identification

affiliation

government

name

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country

Finland

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

Suomi kannattaa vaihtoehtoa 2, eli tupakkatuotedirektiivin alan laajentamista kattamaan muun muassa uudet nikotiinia sisältävät tuotteet, yrtsavukkeet ja sähkösavukkeet. Suomen vastaus sekä Ahvenanmaan lausunto tupakkatuotedirektiivin 2001/37/EY avoimeen konsultaatioon lähetetään kokonaisuudessaan erikseen liitettäväksi tähän vastaukseen.

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

additional comments

Suomi vastustaa vaihtoehtoa 2, eli nuuskan maahantuonnin ja myynnin kiellon poistamista. Suomi kannattaa nuuskan osalta vaihtoehtoa 1 sekä vaihtoehdon 3 mukaisesti kaikkien muiden savuttomien tupakkatuotteiden kieltämistä. Suomen vastaus sekä Ahvenanmaan lausunto tupakkatuotedirektiivin 2001/37/EY avoimeen konsultaatioon lähetetään kokonaisuudessaan erikseen liitettäväksi tähän vastaukseen.

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Health warnings to be put on water pipes

additional comments

Suomi kannattaa pääsääntöisesti vaihtoehtoja 2 ja 3, jotka eivät sulje toisiaan pois. Näihin liittyen ehdotuksia pakollisista kuvavaroituksista, geneeristen vähittäismyyntipakkausten käyttöönotosta sekä haitta-ainemäärien korvaamisesta yleisvaroituksella voidaan pitää erittäin kannatettavina. Vesipiipuissa on syytä ottaa käyttöön terveystarpeet. Sen sijaan vähittäismyyntipakkauksen sisään asetettavia materiaaleja ei katsota tarpeellisiksi. Suomen vastaus sekä Ahvenanmaan lausunto tupakkatuotedirektiivin 2001/37/EY avoimeen konsultaatioon lähetetään kokonaisuudessaan erikseen liitettäväksi tähän vastaukseen.

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

Suomi kannattaa vaihtoehtoja 2 ja 3, eli yhteisen sähköisen raportointiformaatin laatimista

sekä tuotteiden rekisteröintiin ja ainesosien raportointiin liittyvien maksujen ja sanktioiden käyttöönottoa. Suomen vastaus sekä Ahvenanmaan lausunto tupakkatuotedirektiivin 2001/37/EY avoimeen konsultaatioon lähetetään kokonaisuudessaan erikseen liitettäväksi tähän vastaukseen.

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

additional comments

Suomi kannattaa vaihtoehtoa 3 b, eli yhteisen listan laatimista tupakkatuotteiden kielletyistä aineista. Myös yhteisten kriteerien asettaminen eli vaihtoehto 2 on mahdollinen. Suomen vastaus sekä Ahvenanmaan lausunto tupakkatuotedirektiivin 2001/37/EY avoimeen konsultaatioon lähetetään kokonaisuudessaan erikseen liitettäväksi tähän vastaukseen.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional comments

Suomi kannattaa vaihtoehdon 3 mukaisia internetmyynnin, automaattimyynnin ja tupakkatuotteiden esilläpidon kieltoja. Jos direktiivin sääntely jää tätä heikommaksi, Suomi kannattaa mahdollisuutta ottaa kansallisesti käyttöön tiukempia säännöksiä. Suomen vastaus sekä Ahvenanmaan lausunto tupakkatuotedirektiivin 2001/37/EY avoimeen konsultaatioon lähetetään kokonaisuudessaan erikseen liitettäväksi tähän vastaukseen.

Government submission

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government

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Polska

age

51

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

Yes

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Regulacja stosowania dodatków produkcji papierosów nie powinna obejmować tych dodatków, które przygotowują tyton do produkcji i nadają mu odpowiednie właściwości.

which option

No Change

access to tobacco products**problem definition**

No

which option

No change

Government submission

identification

affiliation

government

name

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country

England

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

We would like to see the extension of the directive to ensure continuity to products such as herbal cigarettes which pose as a safe alternative to smoking tobacco. Herbal cigarettes, which are used in a similar way as nicotine cigarettes should therefore be regulated in the same way.

questions smokeless

problem definition

Yes

which option

No change

additional comments

Changing this directive to reflect other smokeless tobacco products that are currently legal could create an illegal market that would be more difficult to control. Instead tighter regulation can be used if these products remain legally available. We also advise that the current ban on snus is upheld as there is no evidence for this change to be implemented.

questions consumer

problem definition

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional comments

Picture Warnings The PHP strongly recommend that picture warnings should be mandatory for all member states. The picture warnings should occupy an minimum of 80% of the front and back surfaces of all tobacco packaging, not just cigarettes. The warning should be placed on the upper portion of the packs for maximum visibility. The current situation whereby some member states have adopted this policy and some have not has led to inequitable protection across the EU. There is now increasing evidence to show that picture warnings are effective and more effective than written warnings (Borland et al 2009). Health warnings also have increasing effect due to the size on pack research carried out on behalf of Health Canada (2007) demonstrated that young and adult smokers and non smokers find health warnings that cover 100% of the pack are significantly more effective than warning messages that cover only 50% of the pack.

Information on Tar, nicotine and carbon monoxide The current directive requires cigarette packs to include machine-based tar, nicotine and carbon monoxide yields on cigarette packs, we feel that this promotes to smokers that some cigarette brands are more harmful than others, and that nicotine is the cause of disease experienced by smokers. We believe that the directive should change so that cigarette packs do not display this information and prohibit ISO or any other emission numbers on cigarette packs. Instead the group feel that this information should be replaced with descriptive information on the hazardous effects of tobacco elements and include information on how to access stop smoking advice.

Additional information on harmful substances in tobacco products We would like to see additional information on the health effects of tobacco use on the inserts inside the packaging but strongly believe this should also include information and advice on quitting smoking.

Health warnings on water pipes It is important that water pipes are treated the same way as other smoked tobacco products and include health warnings. There is an increasing amount of evidence that highlights the dangers posed by smoking tobacco through water pipes. It is also a common misconception that the water in these pipes 'cleans' the tobacco smoke. It is important that we tackle these beliefs by treating the tobacco and pipes the same as other smoked tobacco products.

Generic or plain packaging We are strongly in favour of the introduction of plain packaging on tobacco products. This should include not only the removal of all branding from packaging but also the size and shape of the packaging should be standardized. We feel that this would prevent the promotion of brands through packaging but would also give more weight to the health warnings that tobacco packs carry. There is evidence that not only does packaging act as the main marketing channel where there are tobacco advertising bans but also gives the misleading impression that some cigarettes are safer than others.

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

We recommend that the current situation is unsatisfactory as it makes it difficult to compare and analyse data. A standardised format would overcome this difficulty. This should be funded by the tobacco industry to cover administration and data handling costs.

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

additional comments

The adoption of a positive common list of tobacco ingredients will ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. The tobacco industry uses a range of additives to alter their products. These can make the product more pleasant to children such as flavourings, any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

We would strongly urge a ban on the promotion of tobacco products at point of sale and a ban on vending machines. The health protection measures that this action will have will include prevention of uptake of smoking by young people and the prevention of relapse amongst people who have successfully quit.

additional comments

Internet The principle of preventing cross-boarder promotion of tobacco products in order to protect public health was protected in the Tobacco Advertising directive (2001/0119). It is logical, to extend this principle to the sale of tobacco products between member states via the internet. Vending machines The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing

cigarettes easily. Point of sale We strongly support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to promote its products through the use of attractive packaging. There is evidence to support this adoption especially highlighting that putting tobacco products out of sight within retail outlets can reduce youth smoking initiation.

Government submission

identification

affiliation

government

name

MARZENA DELUGA

email

n.a

country

POLAND

questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

comments

n.a

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

questions on reporting

problem definition

No

explanations

n.a

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

Government submission

identification

affiliation

government

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country

Polska

gender
male

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
Ujednolicony wygląd opakowań oraz większe ostrzeżenia zdrowotne naruszają prawo do korzystania ze znaków towarowych, którymi oznaczone są legalne produkty

which option
No change

questions on reporting
problem definition
No

explanations
brak komentarza

which option
Establish a common compulsory reporting format

regulation of ingredients
problem definition
No

explanations
Należy eliminować z produkcji wyrobów tytoniowych dodatki o udowodnionym wpływie na wzrost szkodliwości wyrobów tytoniowych. Ocena dodatków nie powinna opierać się na pojęciu "atrakcyjności", gdyż nie gwarantuje ograniczenia szkodliwości wyrobów tytoniowych.

which option

No Change

access to tobacco products

problem definition

No

explanations

Zakaz ekspozycji papierosów w sklepach nie zmniejszy dostępności wyrobów tytoniowych. Przepisy powinny przede wszystkim: karać za sprzedaż papierosów nieletnim, ustalić system licencjonowania sprzedaży papierosów (podobnie jak alkoholu).

which option

No change

Government submission

identification

affiliation

government

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Deutschland

questions scope

problem definition

No

explanations

kein Kommentar

which option

No change

questions smokeless

problem definition

No

comments

kein Kommentar

which option

Lifting the ban on snus

**questions consumer
problem definition**
No

explanations
kein kommentar

which option
No change

**questions on reporting
problem definition**
No

explanations
kein Kommentar

which option
No change

**regulation of ingredients
problem definition**
No

explanations
kein Kommentar

which option
No Change

additional option
kein Kommentar

**access to tobacco products
problem definition**
No

explanations
kein Kommentar

which option
No change

additional option
kein Kommentar

Government submission

identification**affiliation**

government

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Deutschland

questions scope**problem definition**

No

explanations

Es bestehen noch keine wissenschaftlichen Erkenntnisse.

which option

No change

questions smokeless**problem definition**

No

comments

Kein Kommentar

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Die jetzigen Hinweise sind völlig ausreichend.

which option

No change

questions on reporting**problem definition**

No

explanations

Kein Kommentar

which option

No change

regulation of ingredients**problem definition**

No

explanations

Es sollte jeder seine eigenen Zigaretten rauchen dürfen mit dem jeweiligen Geschmack der sich aus den Zusatzstoffen ergibt.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Kein Kommentar

which option

No change

Government submission**identification****affiliation**

government

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country

Deutschland

age

41

gender

male

questions scope**problem definition**

No

explanations

Kein Kommentar

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Kei Kommentar

which option

No change

questions on reporting

problem definition

No

explanations

Kein Kommentar

which option

No change

regulation of ingredients

problem definition

No

explanations

Kein Kommentar

which option

No Change

access to tobacco products

problem definition

No

explanations

Kein Kommentar

which option

No change

Government submission

identification

affiliation

government

name

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country

UK

gender

female

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

We recommend the following: - Extend the scope of the Directive to include all smoked products including herbal cigarettes - Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes) It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing

products(1). The outcome of this consultation may assist the Commission in developing its policy on these products. 1. Medicines and Healthcare Regulatory Authority. Public consultation (MLX 364): The regulation of nicotine containing products (NCPs). June 2010 <http://www.mhra.gov.uk/Publications/Consultations/Medicinesconsultations/MLXs/CON065> 617

**questions smokeless
problem definition**

Yes

which option

No change

additional comments

We recommend that smokeless products that are not currently illegal, particularly those used by ethnic minority populations, are more tightly regulated. We do not support a total ban on these products. Smokeless products are harmful to health and a ban would make it more difficult to engage with users to offer support in quitting. The introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation.

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings Mandatory picture warnings should occupy a minimum of 80% of all tobacco packaging, be placed on the upper portion of the packs for maximum visibility and displayed in rotation. Evidence shows that health warnings are effective in conveying the dangers of smoking and helping smokers to quit(2,3). They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings(2). Only some Member States adopting picture warnings has resulted in uneven health protection across the EU. The differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey (October 2009) showed that 78% of respondents supported health warnings. 2. Borland R, Wilson N, Fong GT. et al. Impact of graphic and text warnings on cigarette packs. Tob Control 2009 3. Borland R, Yong HH, Wilson N. et al.

How reactions to cigarette packet health warnings influence quitting. *Addiction* 2009

Information on TNCO The current Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs, promotes the mistaken belief that some cigarette brands are less harmful than others and that nicotine causes disease(4). The EU should remove this requirement from the Directive and should prohibit ISO on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. 4. Koslowski LT, Goldberg ME, Yost BA, et al. Smokers' misperceptions of light and ultra-light cigarettes may keep them smoking. *Am J Prev Med* 1998 Harmful substances We support the proposal to include additional information on the health effects of tobacco consumption on inserts, including advice on quitting smoking. Water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous. Some users believe flavoured shisha is not tobacco. Warnings should also be included on the packaging of tobacco used in water pipes. Plain packaging We strongly recommend the introduction of plain or generic packaging to prevent the promotion of smoking through branding and reinforce the health warning messages. This should include the removal of all branding from packaging and the size and shape of the packaging should be standardised. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow(5). Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans(6). Branding gives the misleading impression some cigarettes are safer than others(7). The tobacco industry claims that plain packaging would contravene intellectual property law. Legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU(8). 5. ABC News 29 April 2010 <http://www.abc.net.au/news/stories/2010/04/28/2885166.htm> 6. Wakefield M, Germain D, Durkin S. How does increasingly plainer cigarette packaging influence adult smokers' perceptions about brand image? *Tobacco Control* 2008 7. Hammond D. et al Cigarette pack design and perceptions of risk among UK adults and youth *Eur J Public Health* 2009 8. The lawfulness of requiring plain packaging for tobacco products. Opinion of Sir Richard Buxton. Nov 2008

questions on reporting
problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this

source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke(9). Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking(10). To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK. 9.Point of Sale Display of Tobacco Products. The Centre for Tobacco Control Research. University of Stirling, 2008 10.Tobacco displays at the point of sale. ASH Briefing, Nov. 2010

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questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

It is not safe to use any tobacco products. The scope of regulation should include new smoked tobacco products (such as low emission or nicotine-free cigarettes) and snus should continue to be banned. Herbal cigarettes should be included as inhaling smoke from smoking them also causes harm. They should be subject to health warning requirements. Products containing nicotine, such as electronic cigarettes, nicotine gel, drinks, and sweets are marketed as alternatives to cigarettes or even aids to quitting smoking. If sold as quitting aids, they should come under the same regulatory framework as pharmaceutical products.

**questions smokeless
problem definition**

Yes

which option

No change

additional comments

Snus should continue to be banned. There is no good reason to introduce a this product onto the market without knowing how it would be used in other countries. In the UK, there is no demand for snus and people can only see it as an aid to stop smoking. Lifting the ban could encourage using it together with cigarettes. It will be used as an easier alternative than stopping smoking tobacco and will lose the health gain from stopping completely. There are already medications to tackle nicotine addiction, NRT or Champix, that do not carry the risks of using snus. We should be encouraging greater use of these treatments and stimulating the development of more effective stop smoking aids for people who are heavily nicotine dependent e.g. those that mimic the nicotine 'hit' delivered by cigarettes. Smokeless tobacco products can be as addictive and dangerous as smoked tobacco e.g increasing the risk of mouth, esophageal, pancreatic and liver cancer, and other conditions including gum and heart disease. In the UK, they are mostly used by South Asian communities; introducing an EU-wide ban on these products now could lead to the creation of an unnecessary illegal market. it may be more effective to regulate them in the same way as tobacco products.

**questions consumer
problem definition**

No

explanations

The current situation, with some Member States making graphic warnings compulsory and others not, has led to a disparity in labelling across the EU which makes no sense. This affects consumers' awareness and their smoking behaviour. Packaging as an advertising tool is not covered by the current Directive. Tobacco packaging and branding are used more subtly to attract new smokers and tempted would be non smokers. In the Eurobarometer survey in 2010, the most positive response was to put health warnings on all packs of tobacco products (on average, 75% of EU citizens are in favour of mandatory pictorial warnings, and over 54% support plain packaging measures).

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

Graphic health warnings are really important. Text only warning messages do not have the same impact on people as picture warnings. Pictures, especially fear inducing pictures, are effective in getting people to understand the warning message. Pictures provoke an immediate

strong reaction. They are liked by some young people who think of them when trying to avoid accepting offered cigarettes. Picture warnings on both sides of the pack and large pictures. Increasing the size of the warning has more effect with young and adult smokers / non smokers. Research in Canada showed that young and adult smokers respond to the size of health warning messages. Warnings that cover 100% of the pack are significantly more effective than warning messages that cover only 50% of the pack. Texts and pictures have to change or people stop seeing them after a while. Also, images have different reactions from a range of people. Strong “shocking” images such as rotten teeth or throat cancer and strong emotional warnings involving children and unborn babies are the most effective way to get across messages about health effects and to stimulate people to change attitudes and behaviour. Even better if they are used together with a quit line number to offer help for anyone triggered to stop. Standardised plain packaging should be introduced. All branding should be removed from the packaging and the size and shape of the pack should be standardised. This would stop the promotion of smoking through branding and reinforce health warnings. Tobacco packs provide a great marketing opportunity in countries where tobacco advertising is banned. The tobacco industry claims that a requirement for plain packaging contravenes intellectual property law. This is not correct. There are no international legal impediments to introducing generic plain packaging. Any information which leads people to believe that some cigarette brands are less harmful than others should be removed. Quit line numbers on the pack where people are able to see them does make it easy for people to use them. We know not enough people know where they can get help to stop. A telephone number on the pack is more effective than telling smokers to seek advice from a doctor or pharmacist. Health warnings on water pipes: as water pipes are at least as dangerous, if not more so, than other forms of tobacco use, warnings should also be included on the packaging of tobacco used in water pipes.

additional comments

Four countries (the UK, Belgium, Romania and Malta) have now adopted the option for compulsory picture warnings. More countries such as Spain and France are planning to adopt them. But there are growing discrepancies between Member States. The use of picture warnings should be extended to all member states' consumers so that they are all equally well informed as to the risks of tobacco products.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The Commission should call for a ban on the promotion of tobacco products at point of sale and a ban on vending machines.

additional comments

Limiting access to tobacco products is effective in reducing the number of young people who start smoking, which is our most important health objective. Internet sales of tobacco products should be banned. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines to deter young people accessing cigarettes from them. Others should follow suit. Point of Sale marketing is similar in most EU countries (i.e.: a brand is advertised at point of sale in the same way in Germany and Belgium). Putting tobacco products out of sight in retail outlets can reduce the number of young people starting to smoke. Ireland, Finland Iceland and Norway have taken up this measure. It is official government policy in Scotland, Wales and Northern Ireland and England is waiting for a decision. It would be advantageous to health for all EU member states to ban the display of tobacco products at the point of sale.

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questions scope
problem definition

No

explanations

Kein Kommentar

which option

No change

questions smokeless

problem definition

No

comments

kein Kommentar

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Es gibt keinen überzeugenden Beleg dafür, dass ein Warnhinweis umso wirksamer ist, je größer sein Format. Es existiert bereits ein allgemeines Bewusstsein der Risiken des Rauchens. Ein Hinzufügen von Bildern auf den Warnhinweis erhöht dieses Bewusstsein nicht - die Bilder wirken lediglich überwiegend abstoßend ohne eine zusätzliche Information zu bieten. Es wird pauschal unterstellt, dass die Einführung von Bildwarnhinweisen auf das Rauchverhalten der Verbraucher einwirkt. Dafür werden allerdings keine Nachweise aus den Ländern geliefert, in denen Bildwarnhinweise bereits verpflichtend eingeführt wurden.

which option

No change

questions on reporting

problem definition

No

explanations

kein Kommentar

which option

No change

regulation of ingredients

problem definition

No

explanations
kein Kommentar

which option
No Change

additional option
kein Kommentar

access to tobacco products
problem definition
No

explanations
kein Kommentar

which option
No change

additional option
kein Kommentar

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questions scope
problem definition
No

explanations
n.a

which option
No change

**questions smokeless
problem definition**

No

comments

n.a

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

**questions on reporting
problem definition**

No

explanations

n.a

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

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questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

No change

additional comments

V ČR tato forma užití tabákových výrobků nemá pevnou tradici a k jeho užívání docházelo v poměrně malé míře. Pokud jde o tabák určený k orálnímu použití, považuje ČR současný stav, kdy je jeho uvádění do oběhu v členských státech (s výjimkou Švédska) zakázáno, za vyhovující.

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Health warnings to be put on water pipes

additional comments

Kouření vodní dýmky je stále navzdory výsledkům mnoha odborných studií veřejností mylně

pokládáno za méně škodlivé než užívání jiných tabákových výrobků. Zavedení zdravotních varování na balení vodních dýmek je proto žádoucím opatřením. Informace o obsahu nikotinu, dehtu a oxidu uhelnatého se v praxi ukázaly pro spotřebitele jako zavádějící, kdy nižší hodnoty mohou evokovat zdánlivě nižší zdravotní závadnost výrobku. ČR proto výše uvedené možnosti varianty č. 2 podporuje. Jak zavedením generického balení, tak zavedením obrázkového varování z obou stran balení, tak zvětšením velikosti zdravotních varování by došlo k limitaci prostoru pro použití ochranných známek a pro sdělení informací obchodní povahy dospělému spotřebiteli. Důsledkem omezení prostoru pro komunikaci značky by také mohla být snadnější napodobitelnost balení cigaret a s tím případně spojený nárůst nelegálního obchodu, což by znamenalo značné negativní daňové dopady a také dopady na zdraví občanů. Současně by, v případě jednotného balení tabákových výrobků, došlo k nerovnému postavení vlastníků práv ochranných známek (obchodních značek) v EU, kdy postiženou skupinou by byli vlastníci ochranných známek z řad tabákových výrobků. ČR nesouhlasí s navrženou možností zavedení generického balení. ČR rovněž nepodporuje návrh na povinné zavedení obrázkového varování z obou stran balení.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

additional comments

Vytvoření společného seznamu EU (negativního nebo pozitivního) ČR podporuje, jelikož by vedlo k větší harmonizaci, pokud jde o složky tabákových výrobků. ČR má nicméně pochybnosti, pokud jde o kritéria tohoto výběru, pokud by byla kritériem „atraktivita“ složek, jak je uvedeno v dokumentu k veřejné konzultaci. Atraktivita může představovat velmi široké a subjektivní vnímání, které se liší v každé ze zemí a od spotřebitele ke spotřebiteli. V souvislosti s nedostatečným vědeckým opodstatněním je nutné zvážit důsledky. Tato regulace by mohla mít jako důsledek diskriminaci některých výrobců cigaret, nárůst nelegálního obchodu a nárůst počtu příhraničního prodeje, což jsou dva jevy, které dosahují v mnoha zemích značných rozměrů.

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;

Access to vending machines to be restricted to adults

additional comments

ČR upřednostňuje variantu zavádějící opatření, která kontrolují dodávku a přístup k tabákovým výrobkům prostřednictvím příhraničního prodeje a prodejních automatů. U možnosti 2a je nutné zvážit také další možné navýšení administrativní zátěže, potažmo výdajů ze státního rozpočtu pro příslušné kontrolní orgány. Možnost 3c, kdy je zvažován zákaz vystavování tabákových výrobků v maloobchodě, by představovala překážku vstupu na trh a mohla by vést ke zvýšení nelegálního obchodu s tabákovými výrobky a s tím spojeného nárůstu daňových úniků. Toto opatření by rovněž vedlo k negativním důsledkům z hlediska správy daně. Nezastupitelnou součástí aktuálně prováděných kontrol správce daně u tabákových výrobků je prvotní vizuální porovnání vystaveného zboží. Zákaz vystavování tabákových výrobků by tudíž znamenal zvýšení nákladů na kontrolní činnost a její faktické ztížení. Tímto opatřením by také mohlo dojít k významnému zásahu do podnikání malých podnikatelů provozujících kiosky a trafiky. V důsledku výše uvedeného ČR nesouhlasí s možností 3c, která uvádí zákaz vystavování tabákových výrobků v maloobchodě.

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questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

n.a

which option

No change

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

**access to tobacco products
problem definition**

No

which option

No change

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questions scope

problem definition

No

explanations

Plain/generic packaging spowoduje: naruszenie zasad swobody prowadzenia działalności gospodarczej, naruszenie prawa własności przemysłowej (ochrona znaku towarowego), zakłócenie warunków konkurencyjności na rynku (brak możliwości rozróżnienia produktów konkurencyjnych)

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

No

explanations

brak komentarza

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Reglamentacja składu wyrobów tytoniowych powinna dotyczyć tylko tych dodatków produkcyjnych, które zwiększają szkodliwość wyrobów tytoniowych. Regulacje nie powinny obejmować pozostałych dodatków, które nie zwiększają szkodliwości. Może to bowiem

wprowadzić w błąd palaczy, sugerując, że wyeliminowanie z produkcji jakiegokolwiek dodatku zmniejszy szkodliwość papierosów.

which option

No Change

access to tobacco products

problem definition

No

explanations

Zakaz ekspozycji wyrobów tytoniowych w punktach sprzedaży rodzi ryzyko, że konsumenci będą szukać wyrobów tytoniowych w nielegalnych źródłach sprzedaży. Przemyt i szara strefa są w Polsce istotnym problemem.

which option

No change

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questions scope

problem definition

No

explanations

N.A

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

N.A

which option

No change

**questions on reporting
problem definition**

No

explanations

N.A

which option

No change

**regulation of ingredients
problem definition**

No

explanations

N.A

which option

No Change

**access to tobacco products
problem definition**

No

which option

No change

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England

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

additional comments

We recommend the following: + Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products.

questions smokeless**problem definition**

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

questions consumer

problem definition

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the

packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK. references: Medicines and Healthcare Regulatory Authority. Public consultation (MLX 364): The regulation of nicotine containing products (NCPs). June 2010

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questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy (ułatwienie podrabiania prostych opakowań) i przynieść negatywne konsekwencje gospodarcze i społeczne plantatorom tytoniu oraz przedsiębiorcom legalnie handlującym wyrobami tytoniowymi.

which option

No change

questions on reporting

problem definition

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy (ułatwienie podrabiania prostych opakowań) i przynieść negatywne konsekwencje gospodarcze i społeczne plantatorom tytoniu oraz przedsiębiorcom legalnie handlującym wyrobami tytoniowymi.

which option

No change

regulation of ingredients**problem definition**

No

explanations

Wprowadzenie proponowanego zakazu stosowania dodatków w produkcji papierosów może doprowadzić do eliminacji z uprawy tytoniu odmiany Burley. Przepisy powinny iść w kierunku reglamentacji tylko tych dodatków, które zwiększają toksyczność i uzależnienie od papierosów, nie powinny natomiast eliminować dodatków potrzebnych w procesie technologicznym produkcji papierosów.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Wprowadzenie zakazu pokazywania papierosów w sklepach przyczyni się do pogorszenia ekonomicznej sytuacji tych placówek, może przynieść część konsumpcji na nielegalne papierosy oraz utrudni egzekucję prawa przez odpowiednie służby takie jak policja (np. egzekwowanie zakazu sprzedaży papierosów nieletnim)

which option

No change

Government submission**identification****affiliation**

government

name

Cathy Wynne (on behalf of Cumbria Tobacco Alliance) Cumbria Tobacco Alliance is a cross-organisational alliance in Cumbria, North West England. The group is chaired by a local

representative of the National Health Service (NHS). Members include Cumbria County Council, Cumbria Youth Alliance, Cumbria Partnership Trust, NHS Cumbria, Cumbria Fire and Rescue and Cumbria County Constabulary. NGO

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country

England

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

+ Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems (E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products.

questions smokeless

problem definition

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage

with users to offer help in quitting.

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should

also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting
problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product

Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK.

Government submission

identification

affiliation

government

name

Jacqui Thompson (On behalf of Tobacco Free Lancashire) Tobacco Free Lancashire is a cross-organisational strategic group, chaired by the National Health Service in Lancashire.

Members include Lancashire County Council, Lancashire Fire and Rescue, Lancashire Care Trust, NHS North Lancashire, NHS Blackpool, NHS East Lancashire, NHS Central Lancashire and NHS Blackburn with Darwen. NGO

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country

England

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

+ Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems

questions smokeless

problem definition

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

questions consumer

problem definition

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed

Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK.

Government submission

identification

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government

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country

GREECE

gender

female

questions scope

problem definition

No

explanations

NO COMMENT

which option

No change

questions smokeless

problem definition

No

which option

No change

questions consumer

problem definition

No

explanations

NO COMMENT

which option

No change

questions on reporting

problem definition

No

explanations

NO COMMENT

which option

No change

regulation of ingredients

problem definition

No

explanations

NO COMMENT

which option

No Change

access to tobacco products

problem definition

No

explanations

NO COMMENT

which option

No change

Government submission

identification

affiliation

government

name

EWA OMILJAŃCZYK

email

n.a

country

POLAND

questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

questions on reporting

problem definition

No

explanations

n.a

which option

No change

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

Government submission

identification

affiliation

government

name

PIOTR DĄBROWSKI

email

n.a

country

POLAND

questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

questions on reporting

problem definition

No

explanations

n.a

which option

No change

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

Government submission

identification

affiliation

government

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country

Polska

age

42

gender

male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Obawiam się, że zakaz stosowania znaków towarowych na opakowaniach tych produktów ułatwi wprowadzanie do obrotu (w tym także przemyt) nielegalnych produktów. Trudniej będzie odróżniać wyrobu legalne i nielegalne zarówno klientom jak i kontrolującym administracjom.

which option

No change

questions on reporting

problem definition

No

explanations

bez komentarza

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

bez komentarza

which option

No Change

access to tobacco products**problem definition**

No

explanations

Zakaz eksponowania wyrobów tytoniowych w połączeniu z brakiem oznaczeń na opakowaniach znakomicie ułatwi rozwój szarej strefy. Nieuczciwi sprzedawcy będą mogli łatwiej niż dotychczas wprowadzać do obrotu nielegalną produkcję, bez wiedzy i świadomości klientów.

which option

No change

Government submission**identification****affiliation**

government

name

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country

Poland

gender

male

questions scope
problem definition

Yes

which option
No change

questions smokeless
problem definition

Yes

which option
Lifting the ban on snus

questions consumer
problem definition

No

explanations

PROPOZYCJA UJEDNOLICENIA PACZEK WSZYSTKICH PAPIEROSÓW MOŻE DOPROWADZIĆ DO WZROSTU SZAREJ STREFY (UŁATWIANIA PODRABIANIA PROSTYCH OPAKOWAŃ) I PRZYNIEŚĆ NEGATYWNE KONSEKWENCJE GOSPODARCZE I SPOŁECZNE PLANTATOROM TYTONIU ORAZ PRZEDSIĘBIORCOM LEGALNIE HANDLUJĄCYM WYROBAMI TYTONIOWYMI

which option
No change

questions on reporting
problem definition

Yes

which option
Establish a common compulsory reporting format

regulation of ingredients
problem definition

No

explanations

WPROWADZENIE PROPONOWANEGO ZAKAZU STOSOWANIA DODATKÓW W PRODUKCJI PAPIEROSÓW MOŻE DOPROWADZIĆ DO ELIMINACJI Z UPRAWY TYTONIU ODMIANY BURLEY PRZEPISY POWINNY IŚĆ W KIERUNKU REGLAMENTACJI TYLKO TYCH DODATKÓW , KTÓRE ZWIĘKSZAJĄ TOKSYCZNOŚĆ I UZALEŻNIENIE OD PAPIEROSÓW, NIE POWINNY NATOMIAST ELIMINOWAĆ DODATKÓ POTRZEBNYCH W PROCESIE TECHNOLOGICZNYM PRODUKCJI PAPIEROSÓW

which option

No Change

access to tobacco products**problem definition**

No

explanations

WPROWADZENIE ZAKAZU POKAZYWANIA PAPIEROSÓW W SKLEPACH PRZYCZYNI SIĘ DO POGORSZENIA EKONOMICZNEJ SYTUACJI TYCH PLACÓWEK , MOŻE PRZENIEŚĆ CZĘŚĆ KONSUMPCJI NA NIELEGALNE PAPIEROSY ORAZ UTRUDNI EGZEKUCJĘ PRAWA PRZEZ ODPOWIEDNIE SŁUŻBY TAKIE JAK POLICJA(NP. EGZEKOWANIE ZAKAZU SPRZEDAŻY PAPIEROSÓW NIELETNIM)

which option

No change

Government submission**identification****affiliation**

government

name

HENRYK RUTKOWSKI

email

n.a

country

POLAND

questions scope**problem definition**

No

explanations

n.a

which option

No change

questions smokeless**problem definition**

No

comments

n.a

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

questions on reporting

problem definition

No

explanations

n.a

which option

No change

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

Government submission

identification

affiliation
government

name
TADEUSZ ZDANOWICZ

email
n.a

country
POLAND

questions scope
problem definition
No

explanations
n.a

which option
No change

questions smokeless
problem definition
No

comments
n.a

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
n.a

which option
No change

questions on reporting
problem definition
No

explanations
n.a

which option

No change

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

Government submission

identification

affiliation

government

name

JANINA ROGOWSKA

email

n.a

country

POLAND

questions scope

problem definition

No

explanations

n.a

which option

No change

questions smokeless

problem definition

No

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

n.a

which option

No change

questions on reporting

problem definition

No

explanations

n.a

which option

No change

regulation of ingredients

problem definition

No

explanations

n.a

which option

No Change

access to tobacco products

problem definition

No

explanations

n.a

which option

No change

Government submission

identification**affiliation**

government

name

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country

Poland

questions scope**problem definition**

No

explanations

The problem definition is incorrect, vague and unclear. It fails to provide any scientific basis or evidence for the different options considered in this section.

which option

No change

questions smokeless**problem definition**

No

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

The problem is defined overly narrowly and so fails to identify relevant policy options.

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

The problem definition incorrectly defines the use of ingredients.

which option

No Change

access to tobacco products

problem definition

No

which option

No change

Government submission

identification

affiliation

government

name

Dr. Helga Osiander-Fuchs, Bayer Office of Health and Security

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country

Deutschland

questions scope

problem definition

No

explanations

Die Problembeschreibung sollte neben den zigarettenähnlichen Fertigprodukten, die keinen Tabak enthalten, zusätzlich auch solche Kräutermischungen zum Rauchen berücksichtigen, bei denen der Verbraucher die Zigaretten selbst fertig oder die zum weiteren Konsum in einer Pfeife bestimmt sind. Ansonsten stimmen wir mit der Problembeschreibung überein.

which option

Extend the scope of the Directive

additional comments

Insbesondere sollte die Einstufung von elektronischen Zigaretten EU-weit einheitlich geregelt werden (z.B. als Arzneimittel, alternativ als Produkte, die den Tabakerzeugnissen gleichzustellen sind). Im zweiten Fall sind dann gesonderte Grenzwerte für den Nikotingehalt, evtl. auch für weitere toxische Substanzen festzulegen sowie Warnhinweise vorzuschreiben.

Auch bei Kräuterzigaretten zum Rauchen empfehlen wir eine EU-weite gesetzliche Regelung. Auf den Verpackungen von Kräuterzigaretten müssen zur Zeit in Deutschland keine Warnhinweise angebracht werden. Im Sinne eines vorbeugenden Verbraucherschutzes sind Warnhinweise auch bei derartigen Produkten notwendig. Bei Kräuterzigaretten sollten in Analogie zu "normalen" Zigaretten auch die Angabe des Teer- und Kohlenmonoxidgehaltes im Rauch vorgeschrieben werden.

questions smokeless

problem definition

Yes

which option

No change

additional comments

Aus Gründen des vorbeugenden Verbraucherschutzes wird Option 1 d.h. "Snus bleibt verboten" bevorzugt. In diesem Zusammenhang ist jedoch der Internethandel zu regeln. Daneben ist auch noch Option 2 "Aufhebung des Verbotes von Snus" tolerierbar. Unseres Erachtens sollten dann jedoch Grenzwerte für den Nikotingehalt und für toxische Inhaltsstoffe (z.B. tabakspezifische Nitrosamine) festgelegt werden. Darüber hinaus ist dann sicherzustellen, dass die Umhüllungen von vorportionierten Snus auf keinen Fall besonders anziehend auf Jugendliche wirken (farbige Gestaltung verbieten). Daneben sollte auch eine z.B. "kaugummiähnliche" Aromatisierung der Produkte untersagt sein. Option 3 alle rauchfreien Tabakerzeugnisse zu verbieten (z.B. auch Schnupftabak) erscheint, wenn Produkte zum Rauchen weiterhin konsumiert werden dürfen, im Rahmen der Gleichbehandlung nicht durchsetzbar.

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional comments

Ob der Ersatz der gemessenen Teer-, Nikotin- und Kohlenmonoxidgehalte durch allgemeine Informationen über gefährliche Substanzen im Tabak bzw. im Tabakrauch zu einer besseren Information der Verbraucher führt, i. S. das Risiko einzelner Produkte besser abschätzen zu können, halten wir für fraglich. Grundsätzlich ist es natürlich richtig, dass kein einzelnes maschinelles Abrauchverfahren menschliches Rauchverhalten in seinen verschiedenen Ausprägungen beschreiben kann. Eine Meinungsbildung zu Option 2 b ist schwierig, da kein konkretes Beispiel vorliegt, wie diese Angaben aussehen sollen. Grundsätzlich haben wir keine Einwände, wenn die Teer-, Nikotin- und Kohlenmonoxidgehalte nicht mehr auf Zigarettenpackungen aufgedruckt werden. Informationen über einen Telefonservice

anzubieten, der Hilfe bei der Raucherentwöhnung gibt, ist durchaus sinnvoll. Zu Option 3: Bei einer isolierten tabakrechtlichen Betrachtung und im Sinne des Konsumentenschutzes ist es durchaus vorstellbar, dass durch sog. plain packaging, also auf weißen, neutralen Verpackungen angebrachte Warnhinweise, diese vom Konsumenten besser wahrgenommen werden. Dies kann im Dienste eines vorbeugenden Gesundheitsschutzes durchaus nützlich sein. In diesem Zusammenhang weisen wir darauf hin, dass eine wirtschafts-, marken- und wettbewerbsrechtliche Würdigung des Sachverhaltes durchgeführt werden muss.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

Bei den Formatvorschriften sollte die 2007 von der EU veröffentlichte Empfehlung für die Formate zur Einreichung der Informationen zu Tabakproduktinhaltsstoffen berücksichtigt werden. Dies deshalb, da zwischenzeitlich viele Hersteller diese Formate für ihre Mitteilungen verwenden und somit eine evtl. erneute Umstellung auf eine neues Meldeformat vermieden werden kann. Eine elektronische Meldung der Daten ist wünschenswert. Dazu ist jedoch ein sicheres EU-weit anwendbares Übermittlungssystem nötig, da die zu meldenden Daten auch Geschäftsgeheimnisse enthalten. Hierzu existiert auf EU-Ebene bereits ein Projekt namens EMTOC (Electronic Model Tobacco Control). In diesem Zusammenhang ist jedoch vordringlich zu klären, wer haftet, wenn Daten, die Geschäftsgeheimnisse mit großem wirtschaftlichen Wert enthalten, im Rahmen der elektronischen Meldung ausspioniert werden.

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

Der Tabakmarkt wird von überregional agierenden Firmen dominiert, deshalb ist eine EU-einheitliche Regelung ("positiv list", falls erforderlich in Kombination mit einer "negativ list") zu bevorzugen. Hierbei sollten auch die Stoffe berücksichtigt werden, die für die Herstellung von Erzeugnissen die keinen Tabak enthalten z.B. Kräuterzigaretten benötigt werden. Eine derartige Liste sollte regelmäßig - unter Berücksichtigung neuer wissenschaftlicher Erkenntnisse bezüglich der Toxizität und suchtvorstärkenden Wirkung von Stoffen sowie den Erfordernissen aufgrund von Produktinnovationen - angepasst werden.

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

Government submission**identification****affiliation**

government

name

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n.a

country

POLAND

questions scope**problem definition**

No

explanations

n.a

which option

No change

questions smokeless**problem definition**

No

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

n.a

which option

No change

**questions on reporting
problem definition**

No

explanations

n.a

which option

No change

**regulation of ingredients
problem definition**

No

explanations

n.a

which option

No Change

**access to tobacco products
problem definition**

No

explanations

n.a

which option

No change

Government submission

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GREECE

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gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission

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government

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gender

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questions scope

problem definition

No

explanations

no comment

which option

No change

questions smokeless

problem definition

No

comments

no comment

which option

No change

questions consumer

problem definition

No

explanations

no comment

which option

No change

questions on reporting

problem definition

No

explanations

no comment

which option

No change

regulation of ingredients

problem definition

No

explanations

no comment

which option

No Change

access to tobacco products

problem definition

No

explanations

no comment

which option

No change

Government submission

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affiliation

government

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questions scope
problem definition
No

explanations
Kein Kommentar

which option
No change

questions smokeless
problem definition
No

comments
Kein Kommentar

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
Kein Kommentar

which option
No change

questions on reporting
problem definition
No

explanations
Kein Kommentar

which option
No change

regulation of ingredients

problem definition

No

explanations

Kein Kommentar

which option

No Change

access to tobacco products

problem definition

No

explanations

Kein Kommentar

which option

No change

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Deutschland

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

No change

**questions consumer
problem definition**
Yes

which option
No change

**questions on reporting
problem definition**
Yes

which option
No change

**regulation of ingredients
problem definition**
Yes

which option
No Change

**access to tobacco products
problem definition**
Yes

which option
No change

Government submission

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gender

male

questions scope
problem definition

Yes

which option

No change

recommend option

the business have the option, how to sell their products. The next of EU: i have take 5 paper for doing my business in the toilet (WC) - sorry

questions smokeless

problem definition

Yes

which option

No change

additional option

i think their is sitting a member of EU in his bureau and he do not know, what he will doing

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

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government

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Poland (Polska)

questions scope

problem definition

No

explanations

no comment

which option

No change

questions smokeless

problem definition

No

comments

all smokeless tobacco products should be regulated equally

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

plain packaging would violate Polish law

which option

No change

questions on reporting

problem definition

No

explanations

no comment

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

no comment

which option

No Change

access to tobacco products**problem definition**

No

explanations

no comment

which option

No change

Government submission**identification****affiliation**

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kiel

age

48

gender

female

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
No change

questions consumer
problem definition
Yes

which option
No change

questions on reporting
problem definition
Yes

which option
No change

regulation of ingredients
problem definition
Yes

which option
No Change

access to tobacco products
problem definition
Yes

which option
Controlled supply and access

which supply and access
Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission

identification

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55

gender

male

questions scope**problem definition**

Yes

which option

No change

recommend option

Avoid overregulation. We live in europe and not in the USA.

questions smokeless**problem definition**

No

comments

see above

which option

Ban on all types of smokeless tobacco products

questions consumer**problem definition**

Yes

which option

No change

questions on reporting**problem definition**

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

identification

affiliation

government

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England

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

In June 2009 the Health Commission recognised progress in reducing smoking prevalence and committed to publicity on the excellent progress but with the key message that we need to maintain the fight against this one of the key determinants of the poor population health and health inequalities in GM. The Commission had previously published a tobacco manifesto which received media exposure and was endorsed by the Association of Greater Manchester Authorities Executive. Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for

Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. The Health Commission supports this measure and previously wrote to the then Secretary of State, Lord Mandelson, to invite the Government to support proposals to reduce harm to children caused by tobacco by banning cigarette vending machines. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK.

Government submission

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67

gender

male

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

additional comments

I prodotti menzionati vanno autorizzati, controllati e diffusi secondo le medesime regole delle sigarette e con le medesime precauzioni sanitarie. E' necessario diffondere uno studio controllo prevedendo la possibilità della tracciabilità di ogni confezione e sugli effetti nel tempo di tali utilizzi.

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional comments

I prodotti non da fumo (Snus) necessitano di un sistema studio controllo.

questions consumer**problem definition**

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package

additional comments

Si suggerisce di inserire affianco alle norme sanitarie anche delle informazioni per i percorsi per la disassuefazione.

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

Government submission**identification****affiliation**

government

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questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Non concordo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Sono anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting**problem definition**

No

explanations

Sono d'accordo sulla creazione di un formato comune di reporting ma non concordo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Sono in totale disaccordo con l'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Ritengo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

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affiliation

government

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Italia

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Non concordo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Sono anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting**problem definition**

No

explanations

Sono d'accordo sulla creazione di un formato comune di reporting ma non concordo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Sono in totale disaccordo con l'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Ritengo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

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government

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gender

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questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

No change

questions consumer**problem definition**

No

explanations

Non concordo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte

per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Sono anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting

problem definition

No

explanations

Sono d'accordo sulla creazione di un formato comune di reporting ma non concordo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Sono in totale disaccordo con l'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Ritengo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

identification

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government

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country

Slovenia

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

recommend option

Beside harmonized safety and quality requirements there is a need for harmonized classification of these products. All tobacco products are hazardous to health – there is no safe level of usage. Therefore the scope of the Directive should include the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes), while the prohibition of any novel forms of oral tobacco, including snus, should be maintained. Also herbal cigarettes should be included in the scope Tobacco Products Directive and should also be subject to health warnings requirements. All forms of nicotine based products (that is, products containing nicotine but which are not tobacco products, such as electronic cigarettes, nicotine gel, drinks, and sweets) are often marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking. Therefore, they should only be sold as quitting aids and comply with specific safety and quality requirements under the same regulatory framework as pharmaceutical products rather than under the scope of the Tobacco Products Directive.

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

additional comments

Ban on all types of smokeless tobacco products - addresses the problem most effectively. We do not support wide availability of these products. In case there would be enough data to support the role of these products in smoking cessation, these products should be classified as such. We find Option 1 – No change - an acceptable option in case Option 3 is not widely supported.

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional comments

Picture warnings should become mandatory on the both sides of the cigarette pack and should be large (80% of the pack) because the size of warning messages increases the effectiveness of the warning amongst both young and adult smokers / non smokers.

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional options

Based on the experiences of the Institute of public Health of the republic of Slovenia we would like to add the following to the description of the problem: -a number of different formats and reporting mechanisms (no obligatory format) result in the problem with organizing, comparing, analyzing and public dissemination of the information, but also pressure from tobacco industry because of trade secrets.

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

additional option

Regulation of attractive substances in tobacco products is highly important in prevention of smoking initiation and continuation among adolescents.

additional comments

Member States should have the right to include additional substances to the negative list nationally in case they find this necessary to protect public health.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

In general we agree with the problem definition, but we would also like to emphasize the importance of a large number of tobacco products sales points which increase the accessibility of tobacco products and the need to address this issue. There is a need for measures to reduce tobacco products sales points (licencing).

Government submission**identification****affiliation**

government

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country

Belgium

age

gender

male

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

additional comments

- New products like the ones described also have been put on the market in Belgium. The position of BE is clear as regards electronic cigarettes containing tobacco or nicotine extracts, but there still are loopholes in today's legislation (nicotine-free electronic cigarettes), « herbal cigarettes »,... - Everything that has to do with products similar to cigarettes (like « herbal cigarettes ») should be included as extensively as possible in the new directive. As far as electronic systems are concerned, those delivering nicotine fall within the medicine legislation and do not have to be covered. On the other hand, electronic systems containing tobacco extracts or simply other products should be included in the directive because for these product the legislation is unclear for the moment.

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

additional comments

Option 1 (no change) is the minimal option. The putting on the market of a product that is currently forbidden should not be authorized. As far as option 3 (ban on all types of smokeless tobacco products) is concerned, chewing tobacco products do not pose specific problems in Belgium. However, products (of Indian origin, among others) bordering on chewing tobacco and snuss bring up questions. In that context, it probably would be easier to ban all non-smoked tobacco products. That option should therefore be considered.

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package

additional option

If option 3 is not chosen, there should be a more obvious and stricter ban on allegations like « naturally sun ripened », « no additives », « 100 % natural »,... (see note to the EC of March 2009 in the appendix).

additional comments

Belgium encounters problems with certain allegations printed by manufacturers, like « naturally sun ripened », « no additives », « 100 % natural »,... (see note to the EC of March 2009 in the appendix). Applying option 2a and option 2b is the minimal solution. Belgium was the first country to use picture warnings on cigarette packets. Our experience shows that this poses no practical problems and that the impact of pictures on people is real, especially on the younger ones. Other MS are applying that measure now. Given the advantages and the absence of disadvantages, the use of warning picture - as big as possible – should be made mandatory. As it has been shown that TNCO measures mislead the consumer, they should be suppressed. Option 2c still has to be examined from on a practical side but applying it could be interesting. Putting option 2d into practice seems difficult (individually importing traditional water pipes?) ; as a consequence, it should not be included in the proposition. It would be preferable to concentrate on packets of shisha tobacco which often do not comply with the law. Option 3: Today generic packets are an innovative option, that seems to be efficient to reduce attractivity of tobacco as stated by the Australian government. This option should thus be at least considered as picture warnings were, ten years ago. It is important that using that type of packet should at least be possible, if not made mandatory. One solution would be to let the MS freely choose and to mention it specifically in the Directive, like the use of picture warnings was mentioned in directive 2001/37/EC. Besides, that type of packaging would de facto put an end to all the problems encountered as a result of manufacturer more and more wanting to use packets as a marketing device (see Belgian note to the EC of March 2009) : allegations, images, special packets for events (festivals, care races,...)...

questions on reporting**problem definition**

No

explanations

globally yes but it should also be mentioned that a harmonised format exists and that an electronic data gathering system (EMTOC) has been installed by a consortium of MS under the leadership of the Netherlands. EMTOC has been used in 4 MS this year among which BE. Big manufacturers have supported the system, as manufacturing secrets were taken into account.

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional options

Electronic systems (EMTOC) have to be made mandatory for data reporting.

additional comments

A harmonised format exists (it has been developed by the EC and some MS in a working group). Its use for reporting is mandatory in BE and, as far as we know, in the Netherlands too

at least. That format makes it much easier to read the data and posed no practical problems. Thus we are in favour of its mandatory use. Option 3 should be applied too. BE already asks to pay a reporting tax of 100 € annually for each product. The tax allows among other things to pay the personnel handling and checking files but also our contribution to the electronic system. Ultimately it could help other MS and release money for toxicological and product attractiveness tests. Besides, it is obvious that important sanctions have to apply in case there is no reporting; otherwise there is no pressure possible on the industry.

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

The current situation poses a problem. As an example, BE has a list with some forbidden ingredients that are authorised in other countries. It creates discrepancies between the different UE markets and, as a consequence, manufacturers put pressure on BE authorities. So option 1 is not the good one. Option 2 seems difficult to put into practice. Identical criteria could be interpreted differently, resulting in different lists depending on MS, what in turn would create problems like the ones currently encountered. The option 3 that is proposed seems more consistent. The choice between a positive or a negative list should be made in the light of the easiness of setting up, the result achieved and the experience of such restrictive lists of ingredients in other fields (like food, e.g.). At first analysis, a positive common could be the most restrictive and easiest option to implement. In BE we currently have a system combining a positive list and a negative list.

access to tobacco products

problem definition

No

explanations

Internet sale is obviously a problem in BE. Displaying the tobacco brand at the point of sale is still authorised, unlike all other types of advertising or promotion, the point of sale being one of the last legal means of advertising. As for vending machines, they are regulated but still exist.

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional comments

The possibilities proposed in option 2 already are implemented in many European countries

and some countries already apply the propositions listed in option 3 (3b and 3c, among others). In our opinion, those countries have proved that the measures can be implemented without creating particular problems. As a consequence, we are in favour of the three propositions in option 3.

Government submission

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affiliation

government

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country

Polska

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Proste czarno-białe opakowania papierosów będzie łatwiej podrabiać, wrosnie także przemysł papierosów.

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Zakaz stosowania dodatków w produkcji papierosów nie powinien obejmować tych dodatków które przygotowują tytoń do produkcji i nadają mu odpowiednie właściwości (wilgotność elastyczność)

which option

No Change

access to tobacco products**problem definition**

No

which option

No change

Government submission**identification****affiliation**

government

name

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country

Italia

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting**problem definition**

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di

ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60. 000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

identification

affiliation

government

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country

Polska

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Ujednolicone opakowania papierosów będzie łatwiej podrabiać, wzrośnie także przemysł, wiąże się to z mniejszym zapotrzebowaniem na uprawę tytoniu przez polskich plantatorów

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Zakazanie stosowanie dodatków w produkcji papierosów nie powinien dotyczyć tych dodatków, które poprawiają właściwości mieszanek tytoniu.

which option

No Change

access to tobacco products

problem definition

No

which option

No change

Government submission

identification

affiliation

government

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country

Italia

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

**questions on reporting
problem definition**

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

identification

affiliation

government

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country

Italia

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti,

sono stati smantellati.

which option

No change

questions on reporting

problem definition

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare

l'accesso dei minori al tabacco.

which option

No change

Government submission

identification

affiliation

government

name

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Romania

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

No

explanations

Nu sunt convins ca marirea avertismentelor grafice de sanatate va creste efectivitatea acestora.
Pachetele generice incalca drepturile de proprietate intelectuala ale producatorilor.

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Majoritatea tigaretelor comercializate in Romania contin ingrediente. Interzicerea ingredientelor ar avea un impact negativ major asupra incasarilor la bugetul de stat (taxe, accize), in conditiile in care piata ilegala reprezinta deja o treime din piata de tutun din Romania.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Nu vad definitia problemei in ceea ce priveste "vending machines" si "prohibition of display of tobacco products".

which option

No change

Government submission**identification****affiliation**

government

name

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country

Romania

questions scope**problem definition**

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Avertismentele grafice de sanatate sunt suficient de mari pentru a transmite mesajele privind sanatatea, fumatorii sunt pe deplin constienti de riscurile fumatului. Nu este nevoie de pictograme marite. Plain packaging va oferi un puternic stimulent pentru contrabanda cu pachete cu marca, care, prin comparatie cu cele simple, vor crea consumatorilor impresia de produs original si de calitate.

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Reglementarea ingredientelor trebuie sa se bazeze pe criterii valide din punct de vedere stiintific. Nu exista dovezi stiintifice care sa ateste ca ingredientele cresc atractivitatea sau adictivitatea produselor din tutun. Raportul SCENIHR din iulie 2010 este graitoy in acest sens.

which option

No Change

access to tobacco products

problem definition

No

explanations

Experienta din Canada si Irlanda arata ca interzicerea afisarii produsului la punctul de vanzare nu va reduce consumul, ci il va transfera dinspre piata legala inspre piata ilegală, ceea ce se explica si prin impactul major al acestei masuri asupra comerciantilor legali, parte dintre ei

intrad in faliment.

which option

No change

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Polska

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Przemysł papierosów może wpłynąć na ograniczenie uprawy tytoniu przez polskich plantatorów

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Reglamentacja stosowania dodatków w produkcji tytoniu nie powinna obejmować tych dodatków, które poprawiają właściwości (wilgotność, elastyczność etc.)

which option

No Change

access to tobacco products**problem definition**

No

which option

No change

Government submission**identification****affiliation**

government

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Italia

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

**questions on reporting
problem definition**

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo

SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60. 000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso

which option

No change

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Polska

questions scope

problem definition

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Ujednolicenie wyglądu opakowań wyrobów tytoniowych, może przyczynić się do wzrostu szarej strefy (napływ przemycających produktów zza wschodniej granicy oraz ułatwienie nielegalnej produkcji). Wzrost nielegalnej sprzedaży papierosów odbywa się kosztem legalnych podmiotów handlujących papierosami oraz plantatorów dostarczających tytoń do legalnej produkcji. Takie rozwiązanie może nieść negatywne konsekwencje ekonomiczne dla gmin, w których z uprawy żyje wiele rodzin.

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

regulowanie produkcji papierosów poprzez eliminowanie dodatków, które są dodawane do tytoniu w procesie technologicznym powinno obejmować tylko te dodatki, które wpływają na zwiększenie właściwości szkodliwych i uzależniających papierosów. Z zakresu należy wyłączyć te dodatki, które są niezbędne w procesie technologicznym. W przeciwnym razie może dojść pośrednio do wyeliminowania uprawianych w Polsce odmian tytoniu.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Proponowane rozwiązania w zakresie handlu wyrobami tytoniowymi, a w szczególności

zakaz pokazywania papierosów w sklepach, w naszej ocenie nadmiernie ingerują w wolność prowadzenia działalności gospodarczej. Wyroby tytoniowe są legalnymi towarami, które sprzedawcy mają prawo pokazywać w sklepie. Całkowity zakaz ekspozycji papierosów uderzy w legalnie działających przedsiębiorców. regulacje powinny iść w kierunku lepszej egzekucji zakazu sprzedaży nieletnim.

which option

No change

Government submission

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questions scope

problem definition

Yes

which option

Extend the scope of the Directive

recommend option

In addition to novel forms of oral tobaccos, herbal cigarettes and electronic nicotine (or with other substances) delivery systems; the extent of revision of the Tobacco Products Directive 2001/37/EC must include smokeless tobacco as snuff, chewing or spray and any other product containing nicotine.

additional comments

The ban on marketing of smokeless tobacco should also apply to any nicotine product not registered as a medicinal product, but its content of nicotine is well below the limit of 1 mg provided by the Tobacco Products Directive 2001/37/EC. All nicotine products are addictive and can cause significant health effects. These nicotine products include (non exhaustive list): gums, pills, patches, sweets, drinks, electronic cigarettes and sprays. Only nicotine products that are medicinal products, such as oral presentations (sprays, pills or gums), cigarette patches or electronic cigarettes provided that their purpose of use is "to relieve the symptoms of nicotine withdrawal in people who are motivated to quit smoking" may be marketed after obtaining a authorization in accordance with Directive 2001/83/EC. If these products are

electronic cigarettes and the electronic delivery systems are marketed independently of nicotine cartridges, the electronic delivery systems will be considered then as medical devices according to Directive 93/42/EC and must obtain the CE mark. Also, any non-nicotine product (including herbal cigarettes) which claims as purpose of use "to relieve the symptoms of nicotine withdrawal in people who are motivated to quit smoking" must also obtain a marketing authorization as a medicinal product in accordance to the Directive 2001/83/EC provided that it exercises a pharmacological, immunological or metabolic action; whether its principal intended action is performed by other mean it will be considered a medical device according to Directive 93/42/EC. Products similar to tobacco cigarettes, such as herbal cigarettes or electronic cigarettes without nicotine, should have the same restrictions, health warnings and taxes that tobacco cigarettes and should fall within the scope of the revision of the Tobacco Products Directive 2001/37/EC to have similar effects on health.

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

additional comments

The scope of the revision of the Directive should include a ban on marketing of any smokeless tobacco like "snuff", chewing or spray. All smokeless tobacco are addictive and may cause cardiovascular effects or cancer. The current ban on marketing of "snus" must also remain unchanged.

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Health warnings to be put on water pipes

questions on reporting

problem definition

Yes

which option

Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access; Ban

which supply and access

Access to vending machines to be restricted to adults

which one2

Cross-border retail sales of tobacco to be banned over the Internet

Government submission**identification****affiliation**

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Polska

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Ujednolicenie wyglądu opakowań wyrobów tytoniowych, może przyczynić się do wzrostu szarej strefy (napływ przemycanych produktów zza wschodniej granicy oraz ułatwienie nielegalnej produkcji). Wzrost nielegalnej sprzedaży papierosów odbywa się kosztem legalnych podmiotów handlujących papierosami oraz plantatorów, dostarczających tytoń do legalnej produkcji. Takie rozwiązanie może nieść negatywne konsekwencje ekonomiczne dla gmin, w których z uprawy żyje wiele rodzin.

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Regulowanie produkcji papierosów poprzez eliminowanie dodatków, które są dodawane do tytoniu w procesie technologicznym powinno obejmować tylko te dodatki, które wpływają na zwiększenie właściwości szkodliwych i uzależniających papierosów. Z zakazu należy wyłączyć te dodatki, które są niezbędne w procesie technologicznym. W przeciwnym razie może dojść pośrednio do wyeliminowania uprawianych w Polsce odmian tytoniu.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Proponowane rozwiązania w zakresie handlu wyrobami tytoniowymi, a w szczególności zakaz pokazywania papierosów w sklepach, w naszej ocenie nadmiernie ingeruje w wolność prowadzenia działalności gospodarczej. Wyroby tytoniowe są legalnymi towarami, które sprzedawcy mają prawo pokazywać w sklepie. Całkowity zakaz ekspozycji papierosów uderzy w legalnie działających przedsiębiorców. Regulacje powinny iść w kierunku lepszej egzekucji zakazu sprzedaży nieletnim.

which option

No change

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gender

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questions scope

problem definition

No

explanations

kein kommentar

which option

No change

questions smokeless

problem definition

No

comments

kein kommentar

which option

No change

questions consumer

problem definition

No

explanations

kein kommentar

which option

No change

**questions on reporting
problem definition**

No

explanations

kein kommentar

which option

No change

**regulation of ingredients
problem definition**

No

explanations

kein kommentar

which option

No Change

**access to tobacco products
problem definition**

No

explanations

kein kommentar

which option

No change

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questions scope
problem definition

No

explanations
kein kommentar

which option
No change

questions smokeless
problem definition

No

which option
No change

questions consumer
problem definition

No

explanations
kein Kommentar

which option
No change

questions on reporting
problem definition

No

explanations
kein Kommentar

which option
No change

regulation of ingredients
problem definition

No

explanations
kein Kommentar

which option
No Change

access to tobacco products

problem definition

No

which option

No change

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questions scope**problem definition**

No

explanations

kein kommentar

which option

No change

questions smokeless**problem definition**

No

comments

kein kommentar

which option

No change

questions consumer

problem definition

No

explanations

Kein kommentar

which option

No change

**questions on reporting
problem definition**

No

explanations

Kein Kommentar

which option

No change

**regulation of ingredients
problem definition**

No

explanations

kein kommentar

which option

No Change

**access to tobacco products
problem definition**

No

explanations

Kein Kommentar

which option

No change

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questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

additional comments

Extend the scope of the Directive to include all smoked products including herbal cigarettes. Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products.

questions smokeless**problem definition**

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging

We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the

fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK. .

Government submission

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male

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

additional options

kein Kommentar

additional comments

kein Kommentar

regulation of ingredients

problem definition

No

explanations

kein Kommentar

which option

No Change

additional option

kein Kommentar

additional comments

kein Kommentar

access to tobacco products

problem definition

Yes

which option

No change

additional option

kein Kommentar

additional comments

kein Kommentar

Government submission

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SPAIN

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer

problem definition

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Controlled supply and access; Ban

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

which one2

Cross-border retail sales of tobacco to be banned over the Internet

Government submission

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questions scope

problem definition

Yes

which option

Extend the scope of the Directive

recommend option

Szükségesnek tartjuk a dohánylevélre is kiterjeszteni az irányelv hatályát. Az összetevő fogalom jelenleg azokra az anyagokra terjed ki, amit a gyártási folyamat során adnak a termékhez. Vannak azonban olyan anyagok, amelyek korábban, már a dohánytermesztés során kerülnek a dohányhoz és a termék fogyasztásával ugyanúgy bekerülnek a fogyasztó szervezetébe, mint a gyártás során hozzáadott anyagok, az előbbieket azonban nem ugyanúgy szabályozottak. Elérendő célnak azt tartjuk, hogy nikotint emberi fogyasztásra szánt termékekben ne lehessen felhasználni. A nikotin az emberi szervezetre káros, erős függőséget okozó mérge (széles körben elterjedt rovarirtószer-alapanyag), amely már rövid távú expozíció esetén is irritálja/izgatja a szemet és a bőrt hat a szív- és érrendszerre és a központi idegrendszerre, okozhat görcsöket és légzési elégtelenséget. Az expozíció jóval a határérték felett halált is okozhat. Hosszútávú expozíció esetén toxikus az emberi reprodukcióra, kifejezett érszűkítő hatású, számos változást hoz létre szervezeti (szívfrekvencia és vérnyomás emelkedés, csökkent bőrhőmérséklet, vércukor mobilizáció, szabad zsírsavszint emelkedés, emelkedett vérkatekolamin szint) és sejtszinten (sejtosztódás befolyásolása, kromoszóma aberrációk és oxidatív stressz indukálása, számos transzkripciós faktor aktiválása). Hozzászokás különösen az arra genetikailag fogékony egyéneknél rövid idő alatt kialakul, és nagy eséllyel élethosszig tartó függőség kialakulásához vezet. A nikotin elvonási tünetei igen súlyosak lehetnek: irritabilitás, rosszkedv, alvászavar, dohányzással foglalkozó gondolatok, cigaretta utáni vágyódás, szorongás, koncentrációs nehézségek, dysphoria, csökkent szívfrekvencia és étvágyfokozódás. A nikotinfüggőség élettani vonatkozásai mellett jelentős szerepet játszik annak mentális, illetve pszichoszociális oldala.

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

additional option

Az összetevők negatív listájának megállapítását támogatjuk. Az égetés során zajló összetett kémiai reakciókra is tekintettel nem tudjuk felelősséggel kijelenteni ugyanis, hogy egy adott összetevő egészségre ártalmatlan, így engedélyezhető-e. A negatív lista megállapításának pedig együtt kell járnia a dohányipar által lejelentett összetevők folyamatos monitorozásával, vizsgálatával, amelynek költségeit a dohányiparnak kell állnia. A negatív lista létrehozását a szankcionálhatóság alapjának megteremtése is indokolja. A lista megállapítása esetén alapfeltétel a megfelelő ellenőrzés feltételeinek megteremtése.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

Government submission**identification****affiliation**

government

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gender

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questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

questions smokeless**problem definition**

Yes

which option

No change

questions consumer**problem definition**

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

Promotion of picture warnings should be made mandatory to all Member States There should be an inclusion of additional information on harmful substances in packaging to be made mandatory to all Member States Use plain packaging should also be made mandatory to all Member States

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

Government submission**identification****affiliation**

government

name

ΓΡΗΓΟΡΗΣ ΝΙΩΤΗΣ Α ΑΝΤΙΠΡΟΕΣΔΡΟΣ ΤΗΣ ΒΟΥΛΗΣ ΤΩΝ ΕΛΛΗΝΩΝ,
ΒΟΥΛΕΥΤΗΣ Β ΠΕΙΡΑΙΑ, Grigoris Niotis A' Vice-President of the Greek Parliament, MP
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ΕΛΛΑΔΑ

questions scope

problem definition

No

explanations

Η ΚΑΤΑΡΓΗΣΗ ΤΩΝ ΧΡΩΜΑΤΩΝ, ΣΗΜΑΤΩΝ Κ.ΛΠ ΣΤΑ ΤΣΙΓΑΡΑ ΘΑ ΟΔΗΓΗΣΕΙ ΣΕ ΠΟΛΕΜΟ ΤΙΜΩΝ ΚΑΙ ΑΥΞΗΣΗ ΤΟΥ ΚΑΠΝΙΣΜΑΤΟΣ

which option

No change

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

No

explanations

Η ΚΑΤΑΡΓΗΣΗ ΤΩΝ ΧΡΩΜΑΤΩΝ, ΣΗΜΑΤΩΝ Κ.ΛΠ ΣΤΑ ΤΣΙΓΑΡΑ ΘΑ ΟΔΗΓΗΣΕΙ ΣΕ ΠΟΛΕΜΟ ΤΙΜΩΝ ΚΑΙ ΑΥΞΗΣΗ ΤΟΥ ΚΑΠΝΙΣΜΑΤΟΣ

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

No

explanations

ΚΑΘΕ ΡΥΘΜΙΣΤΙΚΟ ΠΛΑΙΣΙΟ ΘΑ ΠΡΕΠΕΙ ΝΑ ΕΧΕΙ ΕΠΙΣΤΗΜΟΝΙΚΗ ΤΕΚΜΗΡΙΩΣΗ ΚΑΙ ΝΑ ΜΗ ΒΑΣΙΖΕΤΑΙ ΣΕ ΥΠΟΚΕΙΜΕΝΙΚΑ ΣΤΟΙΧΕΙΑ

which option

No Change

access to tobacco products

problem definition

No

explanations

ΓΙΑΤΙ ΝΑ ΔΗΜΙΟΥΡΓΗΘΟΥΝ ΚΑΙ ΑΛΛΑ ΠΡΟΒΛΗΜΑΤΑ ΣΤΟΥΣ ΗΔΗ ΒΑΡΙΑ ΧΕΙΜΑΖΟΜΕΝΟΥΣ ΛΙΑΝΕΜΠΟΡΟΥΣ ΣΤΗΝ ΕΛΛΑΔΑ?

which option

No change

Government submission

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affiliation

government

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England

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

recommend option

ENDS to be regulated as pharmaceutical products rather than tobacco products.

additional comments

Include all forms of tobacco including all new tobacco products

questions smokeless

problem definition

Yes

which option

No change

additional comments

Snus is a dangerous product and is already banned. There is no valid reason to lift the ban. Other smokeless products are heavily used in the UK and a ban would create an illegal market which would be more difficult to reach. We recommend therefore that these products be regulated as strictly as all other tobacco products including all new legislation.

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

Increase picture warnings to cover 80% of the pack. Place picture warnings on both sides of the pack. All tobacco products to be covered including smokeless products.

additional comments

Research shows that picture warnings are more effective than written warnings. These should be mandatory across all tobacco products. Generic packaging should be introduced for all tobacco products. Evidence shows that packaging is increasingly being used by tobacco companies for promotion and to increase product awareness in young people. Health warnings should be placed on water pipes and the tobacco products they use.

**questions on reporting
problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

Only registered product would be allowed on the market. Effective sanctions for non compliance with registration and data collection would improve the enforcement regime for Trading Standards and other enforcement authorities.

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

A positive common list would exclude and therefore ban any other ingredients including products which increase the addictiveness and make it more palatable and attractive.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional comments

Evidence is taken from Trading Standards enforcement operations during 2008-10. 3a) Results of internet investigations show that internet providers frequently:- i) do not comply with the Distance Selling Regulations within the UK ii) do not comply with age verification requirements iii) do not comply with advertising restrictions iv) do not comply with health warnings v) do not pay revenue and customs vi) overcharge customers in conversion rates internet sales are very difficult to police and online providers easily escape sanctions which are applied to traders in retail premises. Postal delivery is also a common method of delivery for smuggled and counterfeit products so needs to be controlled. 3b) Results from underage sales operations from vending machines across London revealed a 65% sales rate (rate of non-compliance) including one operator whose vending machines provided a sales rate of 88%. This is not acceptable. 3c) There should be an EU wide ban on point of sale display of tobacco products. Research shows that POS displays have a direct effect on the awareness of different tobacco brands by young people and directly encourages them to take up smoking by normalising the product.

Government submission

identification

affiliation

government

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country

United Kingdom

questions scope
problem definition

Yes

which option

Extend the scope of the Directive

recommend option

We recommend the following: + Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes).

additional comments

Reasoning It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Why not e-cigarettes? Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products.

questions smokeless
problem definition

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

questions consumer
problem definition

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging. We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility.

additional comments

The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings. All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting

a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK.

Government submission**identification****affiliation**

government

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England

questions scope
problem definition

Yes

which option

Extend the scope of the Directive

recommend option

ENDS to be regulated as pharmaceutical products rather than tobacco products

questions smokeless

problem definition

Yes

which option

No change

additional comments

As snus is already banned and is known to be a dangerous product it would not make sense to lift the ban. Other smokeless products are heavily used in the UK and a ban would create an illegal market. We recommend that these products should be regulated as tightly as other tobacco products including all new legislation.

questions consumer

problem definition

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

Increase pictorial warnings to 80% of the package. Place pictorial warnings on both sides of the package. All tobacco products to be covered including smokeless products.

additional comments

Picture warnings: Research shows that pictures to be more effective than written warnings. These should be mandatory across all tobacco products Generic packaging should be introduced for all tobacco products. Evidence shows that packaging is increasingly being used by tobacco companies for promotion and increasing product awareness by young people. Health warnings should be placed on water pipes and the tobacco products they use.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

Only registered product would be allowed on the market. Effective sanctions for non compliance with registration and data collection would improve the enforcement regime for trading standards and other enforcement authorities

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

A positive common list would exclude and therefore ban any other ingredients including products which increase the addictiveness of the product and make it more palatable and attractive.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional comments

Evidence from Trading Standards enforcement operations in 2008-10 show 3a) Internet providers frequently i) do not comply with Distance Selling Regulations within the UK ii) do not comply with age verification requirements iii) do not comply with advertising restrictions iv) do not comply with health warnings v) do not pay revenue and customs duty vi) overcharged consumers in conversion rates Postal delivery is also a common method of delivery for smuggled and counterfeit tobacco products so needs to be controlled. 3b) Results from underage sales operations from vending machines across London revealed a 65% sales rate (rate of non-compliance) including one operator where the sales rate was 88%. This is not acceptable. 3c) There should be an EU wide ban on point of sale display of tobacco products. Research shows the POS displays directly encourage young people to take up smoking

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government

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questions scope**problem definition**

No

explanations

Kein Kommentar

which option

No change

questions smokeless**problem definition**

No

comments

Kein Kommentar

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Kein Kommentar

which option

No change

**questions on reporting
problem definition**

No

explanations

Kein Kommentar

which option

No change

**regulation of ingredients
problem definition**

No

explanations

Kein Kommentar

which option

No Change

**access to tobacco products
problem definition**

No

explanations

Kein Kommentar

which option

No change

Government submission

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government

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country

Norway

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

Question 1 Norway agrees with the problem definition. It is however paramount to the effectiveness of such possible regulation that the legislative definition of new products containing tobacco and/or nicotine not be too specific but remain general/comprehensive so as to cover all future forms of such products. Question 2 Option 2 to extend the scope of the Directive, is in our view the most effective option to deal with the issues of novel tobacco and/or nicotine products. The Directive should cover novel products that contain tobacco and/or nicotine, herbal cigarettes and other combustion products that entail health risks, products such as the electronic cigarette with the no-nicotine cartridges, and other novel cigarette and cigarette like products. However, the regulation should not just cover cigarette-like products (i.e. herbal cigarettes), but all tobacco-like products (i.e. herbal snus). Tobacco-like products, should they not be covered by the Directive, can be used to undermine the provisions of the Directive (and the Tobacco Advertising Directive). Special effort must be taken in drafting the scope of the Directive, so as to capture all relevant products, insofar as they are not covered by existing legislation. It is important to take note of the recent report from the WHO Study Group on Tobacco Product Regulation which remarks, inter alia, that Electronic Nicotine Delivery Devices (ENDS) have not been established to be safe. The safety and extent of nicotine uptake has not been established, there is no scientific evidence to validate the manufacturers' claim that the products are safe and effective in smoking cessation, and that delivery to the lungs might be dangerous, independent of the effects of nicotine. In view of protecting public health, once the above-mentioned products are included in the scope of the Directive, it must also be considered to what extent the other provisions of the Directive should apply to these products and which information on contents and emissions should be reported to the authorities in connection with ENDS (with and without nicotine), herbal cigarettes, and other novel tobacco and/or nicotine products. Health warnings should be required for the novel products, but must be specially tailored for each product. The advertising ban should also apply to these products.

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

additional comments

Question 1 It is the view of Norway that the problem definition is correct. Question 2 Norway has an exception from the EU ban on sale of snus. The reason is that, unlike in most EU countries, snus was already well established on the Norwegian market when the EU ban was imposed. Even though Norway allows the sale of snus, we believe that where a ban on snus-sale is in place, it should be upheld and expanded. All smokeless tobacco products should be treated equally. Therefore, option 3, a ban on all types of smokeless tobacco products, is in our view the best option. This would provide a more comprehensive ban than under today's regulation and would keep other types of smokeless tobacco off the European market. There is already a great diversity of tobacco products on the market, and to protect public health still further, this option should be introduced. Cigarette producers are experiencing diminishing

sales in developed parts of the world due to improved tobacco control measures, and they are now launching into the business of smokeless tobacco in order to keep old customers and target new groups. The development of many new snus products containing a variety of taste additives, such as chocolate, and pink design boxes, clearly demonstrate that the industry's interest is not mainly to market snus as a smoking cessation aid, but to maintain nicotine dependence in the population. Snus should not be considered either as a rational substitute for cigarettes or as a cessation aid. There is no sound scientific evidence that snus is effective as a smoking cessation product. Countries with substantial comprehensive tobacco control programs, have demonstrated that a lower prevalence of smoking than in Sweden, for example, can be achieved without snus on their markets. There is therefore no reason to allow the introduction of a new tobacco product with serious health effects on the European market. Smokers in Europe are better served by the implementation of the broad tobacco control strategy of the FCTC. The Scandinavian health authorities are in agreement concerning their position on snus as a harm reduction product. In 2009 they published an article entitled "Snus does not save lives: quitting smoking does!" in Tobacco Control . In the article it is emphasized that: "rather than promoting the use of Scandinavian moist snuff, we would like to see a major increase in preventive efforts. Countries that have seriously invested in such initiatives, such as Canada and Australia, have also achieved excellent results, thus demonstrating that snus is not a prerequisite for reduced smoking". Question 3 As the Commission rightfully states in the consultation paper, new scientific evidence (SCENIHR and IARC) has concluded that snus is carcinogenic. In our view, this evidence should also be reflected in the smokeless tobacco health warnings.

questions consumer

problem definition

Yes

which option

Introduce generic or plain packaging

additional option

Additional comment Norway is exempted from the EU ban on smokeless tobacco. Norway is however bound by the other provisions in the Tobacco Products Directive, including the provisions on health warnings. Several organisations and institutions have contacted the Norwegian Ministry of Health with requests that the health warnings on smokeless tobacco should be re-introduced with warnings of smokeless tobacco being carcinogenic. Such warnings were removed in Norway in 2003 as a result of Directive 2001/37/EC, implemented in Norwegian legislation through the EEA Agreement. Hence, smokeless tobacco sold in Norway today only bears the following warning, cf. Article 5 subsection 4: "This tobacco product can damage your health and is addictive." In the light of new evidence from SCENIHR and IARC on health effects of smokeless tobacco products, the Norwegian Minister of Health wrote to the EU Commissioner for Health in 2008 and 2010 to encourage an amendment of the Directive on this point. Also a 2005 report from the Swedish National Institute of Public Health concluded that smokeless tobacco is carcinogenic. The use of snus has increased dramatically in Norway in recent years, especially among young people. Among 16-24 years olds, 33% of boys and 18% of girls in Norway, now use snus. And the trend is that the use of snus is still increasing. Norway's problem is that the toolbox for implementing effective preventative measures against snus use, is more limited than when it comes to cigarettes: For instance, health warnings on snus to inform the population about the fact that smokeless tobacco is carcinogenic cannot be used. Nor can pictorial warnings on

smokeless tobacco be introduced, as has been done for all other types of tobacco products. The hindrance for these measures is that the Tobacco Products Directive imposes exhaustive rules on health warnings, and that the health warnings on smokeless tobacco are outdated and misleading. Norway would therefore strongly urge for the amendment of the Directive so that the health warnings on smokeless tobacco reflect the scientific evidence that smokeless tobacco is carcinogenic. Norway would also request that the Directive be amended so that there is an opening for the use of pictorial warnings on smokeless tobacco.

additional comments

Question 2 Norway is of the opinion that option 3, introduction of generic packaging, would address the problem most effectively. Introducing mandatory generic packaging would be the most effective option for maximising the effect of consumer information and minimising tobacco product packaging as an advertising tool. The size and shape of the package should also be regulated. This would also be in line with the FCTC guidelines for article 11. In addition, option 2a (mandatory picture warnings) and 2b (levels of tar, nicotine and carbon monoxide to be replaced by general information on harmful substances) should also be included in the revision, since introducing generic packaging would reduce the advertising value of the packaging but not completely optimise consumer information on health effects of tobacco use. Option 2a Picture warnings should be mandatory in the EU. They should also be considerably larger than they are today, and on both sides of the pack towards the top of the pack. The FCTC Article 11 guidelines recommend the use of picture warnings and large warnings: “Article 11.1(b)(v) of the Convention specifies that health warnings and messages on tobacco product packaging and labelling may be in the form of or include pictures or pictograms. 16. Pictorial health warnings and messages may also disrupt the impact of brand imagery on packaging and decrease the overall attractiveness of the package...” Option 2b It is important to utilise tobacco packaging to give consumers useful and truthful information about health and tobacco use. Tar, nicotine and other smoke emission yields do not give valid estimates of human exposure, and are often misleading to consumers. They should therefore be banned and the European legislation should be brought in line with the FCTC Article 11 guidelines, which state the following concerning constituent warnings on tobacco packages: “Parties should not require quantitative or qualitative statements on tobacco product packaging and labelling about tobacco constituents and emissions that might imply that one brand is less harmful than another, such as the tar, nicotine and carbon monoxide figures or statements such as “these cigarettes contain reduced levels of nitrosamines” and further: “Parties should prohibit the display of figures for emission yields (such as tar, nicotine and carbon monoxide) on packaging and labelling, including when used as part of a brand name or trademark. Tar, nicotine and other smoke emission yields derived from smoking-machine testing do not provide valid estimates of human exposure. In addition, there is no conclusive epidemiological or scientific evidence that cigarettes with lower machine-generated smoke yields are less harmful than cigarettes with higher smoke emission yields. The marketing of cigarettes with stated tar and nicotine yields has resulted in the mistaken belief that those cigarettes are less harmful.” Option 2d could be considered, but we do not think that it is a priority measure. If health warnings were to be introduced on water pipes, warnings would also have to be introduced on “regular” pipes, and other smoking equipment. In addition there would be the problem of mandating health warnings that are non-removable on such equipment and surfaces. Option 2c concerning inserts could be considered, but should not be a priority measure.

questions on reporting problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

Norway has had some issues with collecting and analysing tobacco industry ingredient data. This is due partly to the amount of data being collected yearly and partly because of the resources required to monitor compliance with the reporting regulations. Norway has been part of the EMTOC project and is now working on the legal amendments that will be necessary in order to use the EMTOC system. Norway has been using the harmonised reporting format over the last couple of years, and would welcome it if the reporting format would be made compulsory for all ingredients reporting, i.e. option 2. By introducing a mandatory reporting format, disclosure of tobacco ingredients data to the public would also be easier to achieve. However, option 2 should be combined with option 3, the introduction of fees and sanctions in order to finance data collection and analysis and disclosure.

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

additional comments

From the perspective of public health, there is no justification for permitting the use of ingredients, such as flavouring agents, which help make tobacco products attractive. Norway would favour option 3b, establish a negative common list of tobacco ingredients, provided that the list would not be exhaustive. It is necessary to give member states the right to go further based on national circumstances and public health needs. The list should apply to all tobacco products. In Norway, the problem of additives used to increase attractiveness is today mainly present when it comes to snus products. Such regulation would be in line with the FCTC Article 9 guidelines, which recommends parties to ban or restrict ingredients used to increase palatability, ingredients that have colouring properties, ingredients used to create the impression that products have health benefits and ingredients associated with energy and vitality.

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale; Access to vending machines to be restricted to adults; Tobacco display and promotion at points of sales to be restricted

additional comments

Norwegian display ban On 1 January 2010, a ban on the visible display of tobacco products and smoking devices at points of sale came into effect in Norway. Section 5 of the Norwegian Tobacco Control Act states: § 5. Prohibition against the visible display of tobacco products and smoking devices The visible display of tobacco products and smoking devices at retail outlets is forbidden. The same applies to imitations of such products and to token cards which give the customer access to acquire tobacco products or smoking devices from vending machines. The prohibition in the first paragraph does not apply to dedicated tobacco boutiques. At the retail outlets it is allowed to provide neutral information regarding the price and which tobacco products are for sale at the premises. The same applies to smoking devices. The Ministry can through regulations provide for rules on the implementation and supplementing of these provisions and provide exemptions from such. It is allowed to provide neutral information regarding price, tobacco products and smoking devices which are for sale at the premises, for instance verbally or by having a list at the cash register which only contains the name and price of the products. In the same manner as before the introduction of the display ban, the said list cannot give any indication of trademarks or logos. Question 2 Norway recommends the introduction of Option 3. All three alternatives, 3a, 3b and 3c, should be included in the legislation. Option 3a A ban on cross-border advertising is covered by the FCTC article 13. The guidelines to article 13 state the need for a comprehensive ban on cross-border advertising. The guidelines also specifically recommend that the most effective way to stop cross-border advertising is to ban tobacco sales on the internet. Option 3b Self-serviced vending machines are banned under Norwegian law. This is in line with the FCTC Article 13 guidelines, Option 3c The introduction of a display ban in the EU would be a big step towards eliminating tobacco product advertisement in society. Based on the Norwegian (and Icelandic) experiences, we strongly recommend that a display ban is included in the upcoming revision of the Directive. This would also be in line with the FCTC Article 13 guidelines, which state: Under the FCTC Article 13 (2), parties are obliged to introduce a general advertising ban.

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Italia

questions scope

problem definition

Yes

which option

No change

**questions smokeless
problem definition**

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

Non concordo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Sono anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

**questions on reporting
problem definition**

No

explanations

Sono d'accordo sulla creazione di un formato comune di reporting ma non concordo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

Sono in totale disaccordo con l'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Ritengo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

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Polska

questions scope

problem definition

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy (ułatwienie podrabiania prostych opakowań) i przynieść negatywne konsekwencje gospodarcze i społeczne plantatorom tytoniu oraz przedsiębiorcom legalnie handlującym wyrobami tytoniowymi.

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Wprowadzenie proponowanego zakazu stosowania dodatków produkcji papierosów może doprowadzić do eliminacji z uprawy tytoniu uprawy BURLEY. Przepisy powinny iść w kierunku reglamentacji tylko tych dodatków, które zwiększają toksyczność i uzależnienie od papierosów, nie powinny natomiast eliminować dodatków potrzebnych w procesie technologicznym produkcji papierosów.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Wprowadzenie zakazu pokazywania papierosów w sklepach przyczyni się do pogorszenia ekonomicznej sytuacji tych placówek, można przenieść część konsumpcji na nielegalne papierosy oraz utrudni egzekucję prawa przez odpowiednie służby takie jak policja np. (egzekwowanie zakazu sprzedaży papierosów nieletnim).

which option

No change

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government

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Ireland

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be

replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional comments

We support option 3 in principle, but recommend that the introduction of generic or plain packaging, must be on the basis of robust evidence. If such a measure is to be introduced, it should be mandatory and there should be a harmonised approach across all member states.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

Yes

which option

Introducing the basic criteria on the EU level without a common list

access to tobacco products

problem definition

No

explanations

Please amend reference to Ireland in final sentence to "A similar ban was introduced in Ireland on 1 July 2009."

which option

No change

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Italia

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option
No change

questions on reporting
problem definition
No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

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Österreich

questions scope**problem definition**

No

explanations

Nein, wir stimmen der Problemdefinition nicht zu. Die Problemdefinition ist inkorrekt, ungenau und missverständlich. Beispielsweise wird angeführt, dass „sich der Markt für Tabakprodukte zunehmend diversifiziert hat“ (“the tobacco products market has increasingly diversified”), jedoch werden in weiterer Folge Nicht-Tabak-Produkte, inklusive der Elektronischen Zigarette und Nikotin-Drinks, und nicht Tabak-Produkte im eigentlichen Sinne aufgelistet. Nicht-Tabak-Produkte, die Nikotin beinhalten, unterscheiden sich wesentlich von Tabak-Produkten. Diese Produktgruppen sollten getrennt voneinander reguliert werden. Die Verschmelzung dieser Produktgruppen zeigt klar auf, dass hier ein fundamentaler Mangel im Bezug auf das Verstehen des Tabak-Sektors besteht. Dieser Mangel steht noch dazu in Verbindung damit, dass in der Problemdefinition keinerlei wissenschaftliche Basis oder Belege für die unterschiedlichen Optionen innerhalb dieses Abschnittes angegeben werden. Wir sind der Auffassung, dass die Konsultation in keinem der erwähnten Bereiche innerhalb dieses Abschnittes ein Problem identifiziert. Wir warnen ausdrücklich davor, dass das willkürliche Verbot von neuartigen Formen von oral verwendetem Tabak die zukünftige Entwicklung von möglichen Produkten mit verringertem Gefahrenpotenzial negativ beeinflussen könnte. Da die Problemdefinition grundlegend mangelbehaftet ist, sehen wir uns nicht in der Lage, die vorgeschlagenen Optionen zur Änderung zu kommentieren.

which option

No change

recommend option

Siehe Antwort auf Frage 1, wir befürworten Option 1 – “NO CHANGE”

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional option

Rauchlose Tabakerzeugnisse sollen ohne die bisherigen nicht nachvollziehbaren Unterschiede unter dem Vorbehalt geeigneter Verbraucherinformationen (zB Gesundheitswarnhinweise) in der EU angeboten werden können.

questions consumer**problem definition**

No

explanations

Nein, wir stimmen der Problemdefinition nicht zu. Die Problemdarstellung beruht auf einer Reihe von Annahmen und Behauptungen, die falsch sind und aufgrund derer die Debatte in Bezug auf die Verbraucherinformation inkorrekt dargestellt wird. 1. bezieht sich Abschnitt 3, obwohl er die Überschrift „Verbraucherinformation“ trägt, ausschließlich die Verpackung von Tabakprodukten. Die Regulierungsbehörden haben eine Vielzahl von Möglichkeiten, um Informationen an die Verbraucher zu kommunizieren, inklusive TV, Printmedien, Internet. 2. sind die Verpackung von Tabakprodukten und die Kennzeichnung von Produktpackungen keine Einflusswerte auf das Rauchverhalten von Jugendlichen. Die umfassenden Belege und Untersuchungen, die es zu den Einflussfaktoren auf die Initiierung des Rauchens gibt, belegen keinen Zusammenhang zwischen der Verpackung und dem Beginn des Rauchens bei Jugendlichen. Die Problemdefinition beschäftigt sich jedoch mit der Verpackung aus eben dieser Perspektive. Aufgrund dieses Fehlers hat wohl keine der in Abschnitt 3 vorgeschlagenen Maßnahmen, Auswirkungen darauf, dass Jugendliche zu rauchen beginnen. 3. werden in der Problemdefinition die Verpackung von Tabakerzeugnissen und die Werbung für diese vermischt. Die Verpackung und Packungskennzeichnung sind wichtig, um die Tabakerzeugnisse leicht und ohne Verwechslungen zu identifizieren, Informationen darüber beziehen und auswählen können. Die Zigarettenpackung selbst stellt keine Form von anpreisender Werbung dar! Wir sprechen uns dagegen aus, dass PHWs auf EU-Ebene verpflichtend eingeführt werden. Gemäß der Tabakproduktrichtlinie liegt es im Ermessen der Mitgliedstaaten, sich zwischen Warnhinweisen in Text- und Bildform zu entscheiden. Die Vorschreibung von PHWs in allen EU-Mitgliedstaaten wäre unverhältnismäßig und die Last der Rechtfertigung einer Änderung der Tabakproduktrichtlinie liegt in diesem Zusammenhang bei der Europäischen Kommission. Wir halten fest, dass es keinerlei zuverlässige, eindeutige, bewiesene Grundlage gibt, auf der PHWs vorzuschreiben wären und ebenso keine zuverlässigen belegbaren Untersuchungen/Nachweise, dass größere HWs/PHWs (lt. Tabakproduktrichtlinie Mindestfläche von 30% auf der Vorder- und 40% auf der Rückseite) Auswirkungen auf das Bewusstsein bzw. Rauchgewohnheiten der Verbraucher hätten. Die weitere Entziehung der Hauptpräsentationsflächen von Verpackungen hätte negative Folgen:

- Beschränkung der Unterscheidung von Waren im Handel, der Fähigkeit, unseren Verbrauchern Produktinformationen zu vermitteln, der Rechte der Verbraucher auf Produktauswahl und fairen Wettbewerb
- Aushöhlung des aufgebauten Marken- und Firmenwertes
- die Untergrabung der Möglichkeit für die im legalen Rahmen tätige Tabakindustrie, ihre Produkte mit ihren Marken zu kennzeichnen und unterscheidbar zu machen, Begünstigung des illegalen Handels mit Tabakprodukten

Wir lehnen den Begriff der „Attraktivität“ als zulässiges gesundheitspolitisches Ziel ab, dieser trägt nichts zu der Notwendigkeit der Festlegung und Beurteilung einer entsprechenden gesundheitspolitischen Argumentation bei. Dem Begriff „Attraktivität“ als solchem fehlen festgelegte Kriterien für eine Darstellung des Themas dahingehend, ob es sich hierbei um einen Regulierungszweck oder ein Regulierungsziel handelt: Er entbehrt jeglicher Beweisgrundlage und ist schon an sich unklar und willkürlich. Wir empfehlen, die derzeitige Praxis des Aufdruckens des TNCO-Gehalte auf den Packungen fortzusetzen, bis weitere technische Fortschritte bei der Entwicklung von Messmethoden, die die tatsächlichen Werte von Rauchinhaltsstoffen für Raucher genauer wiedergeben, gemacht wurden. TNCO-Angaben liefern den Verbrauchern und Regulierungsbehörden vergleichbare Informationen auf Basis eines international anerkannten Standards im Einklang mit den Empfehlungen der Kommission in ihrem 1. Bericht über die Umsetzung der Tabakproduktrichtlinie.

which option

No change

additional option

Erwachsene Raucher nutzen die Verpackung um Tabakprodukte zu identifizieren, Informationen darüber zu erhalten und ihr bevorzugtes Produkt leicht und ohne Verwechslung auszuwählen. Wir bringen hiermit unsere kategorische Ablehnung von Plain Packaging zum Ausdruck. Die politischen Ziele in Bezug auf eine Anordnung von Plain Packaging sind völlig unklar. Wir akzeptieren nicht, dass Ziele wie die "Denormalisierung" von Tabakprodukten und die Zerstörung von Produktmarken legitim sein sollen. Wir lehnen den Begriff der "Attraktivität" als zulässiges öffentlichkeitspolitisches Ziel entschieden ab. Wenn Plain Packaging als Maßnahme vorgeschlagen wird um zu verhindern, dass Jugendliche zu rauchen beginnen, dann können wir nur unterstreichen, dass es sehr viel verhältnismäßigere und effektivere Lösungen gibt wodurch das erreicht werden kann. Verpackung und Verpackungskennzeichnung sind fundamental für die Wahlmöglichkeit der Konsumenten in einem wettbewerbsfähigen Markt. Hersteller, Händler und Konsumenten müssen die Möglichkeit haben, Produkte zu identifizieren und ohne Verwechslung zwischen Produkten zu wählen. Dies ist die essenzielle Funktion der Verpackung, Verpackungskennzeichnung und Handelsmarken. Plain Packaging würde ungerechtfertigterweise fundamentale Eigentumsrechte, Äußerungsrechte und Handelsrechte verletzen, welche bereits per se von uns als schwer zu schützen angesehen werden. Das würde auch einen beisspielslosen Raub der Marken mit einschließen, welche – wie bei jedem Konsumgut – das wertvollste Gut der TabakproduktHersteller sind. Dies wiederum wäre offenkundig unverhältnismäßig. Es wäre für jede liberale Demokratie und freie Marktwirtschaft falsch so weit zu gehen. Überdies hinaus hätte Plain Packaging einen erheblichen negativen Einfluss z.B. durch die Verursachung von erheblichem und nicht notwendigem Schaden für den Wettbewerb im Markt, da Plain Packaging unwillkürlich in einer Fokussierung auf den Preis als wichtigste verbleibende Dimension für den Wettbewerb in einer erhöhten Barriere für neue Markteintritte und einer Reduktion von Markenwechsel durch den Konsumenten resultieren würde; sowie die Verschlimmerung des illegalen Handels, da gefälschte und geschmuggelte Produkte leichter herstellbar, verteilbar und verkaufbar würden. Es gibt keinerlei empirische Belege, welche klar und glaubwürdig die Effizienz von Plain Packaging bezogen auf die Erreichung der festgelegten öffentlichkeitspolitischen Ziele darlegen. Diese absolute Mangel an schlüssigen Belegen gilt auch für das Thema der Rauchprävalenz bei Jugendlichen. Tatsächlich entschied die Regierung von Großbritannien im Jahr 2009 nach einer vorausgehenden Befragung Plain Packaging nicht einzuführen, da die Belege dafür "spekulativ" und "noch zu entwickeln" wären, bevor eine regulatorische Maßnahme ergriffen werden könnte. Die Anordnung von "Plain Packaging" als regulatorisches Werkzeug ist völlig unverhältnismäßig aus Sicht der angeblichen öffentlichkeitsrechtlichen Ziele, die erfüllt werden sollen. Es gibt Alternativen und weniger restriktive Wege dieses Ziel zu erreichen. Wir glauben, dass speziell der zusätzliche Warnhinweis Nummer 10 aus Annex 1 der TPD ausreichend relevante Information bietet um zu rauchen aufzuhören und dass keinerlei Veränderungen hierzu benötigt werde. Wir bezweifeln, dass die Verwendung von Beilagen/Inserts notwendig ist. Das Konsultationsdokument legt keinerlei Evidenz dar, wonach Beilagen/Inserts einen zusätzlichen Beitrag zum bereits sehr hohen Bewusstsein über die Risiken, die mit dem Rauchen in Verbindung stehen, leisten würden.

questions on reporting**problem definition**

No

explanations

Nein, wir stimmen der Problemdefinition nicht zu. Den Ausführungen in der Problemdefinition hinsichtlich unterschiedlicher Formate für die Meldung von Zusatzstoffen sowie zu bestehenden Unterschieden zwischen Mitgliedsstaaten im Hinblick auf Meldungsabläufe stimmen wir zu. Ebenfalls ist in der Problemdefinition richtig dargestellt, dass unsererseits in diesem Zusammenhang weiterhin Bedenken hinsichtlich des Umganges mit schützenswürdigen Geschäftsgeheimnissen bestehen. Die EU-Kommission hat es bis heute versäumt, sich ernsthaft mit dem Thema einer wissenschaftlichen Bewertung von Zusatzstoffen für Tabak zu beschäftigen oder auch nur Grundzüge dafür anzustoßen. Ebenso wenig besteht ein geeignetes Instrument/Forum zur Verfügung, um die zweifelsfrei vorhandenen und sehr umfangreichen Erkenntnisse objektiv zu diskutieren.

which option

Establish a common compulsory reporting format

additional options

Wir unterstützen Option 2. Einige Daten, die unter Nutzung eines EU-weit einheitlichen Formates und Meldeverfahren erhoben werden, enthalten wertvolle Geschäftsgeheimnisse von Herstellern und müssen daher in einem für diesen Zweck geeigneten Datensystem gelagert und während Übermittlung und Lagerung vor unbefugtem Zugang ausreichend geschützt werden. Der Themenkomplex zu Sanktionen und Strafen wurde bereits innerhalb der Mitgliedsstaaten adressiert.

regulation of ingredients**problem definition**

No

explanations

Nein, wir stimmen der Problemdefinition nicht zu. Verantwortliche Hersteller verwenden keine Zusatzstoffe, um Nichtraucher (Jugendliche) zum Rauchen zu animieren. Zusatzstoffe werden zur Aufrechterhaltung einer gleichbleibenden Produktqualität, zur Erzielung eines für die jeweilige Marke typischen Geruchs- und Geschmackseindrucks und damit als Unterscheidungsmerkmal gegenüber anderen Marken im Wettbewerb verwendet. Einigen Zusatzstoffen wird eine direkte oder indirekte verstärkende Wirkung für den Konsumenten zugesprochen, die als Konsequenz zum weiteren Konsum anregen soll. Uns sind keine belastbaren wissenschaftlichen Arbeiten bekannt, die diese Vorwürfe für die üblicherweise verwendeten Mengen an Zusatzstoffen belegen. Die Problemdefinition führt (ohne weitere wissenschaftliche Differenzierung der Aussage) aus, dass die Mehrzahl von Zusatzstoffen zu karzinogenen, mutagenen und/oder repro-toxischen Stoffen führt. Nach unserer Auffassung dürfen lediglich belastbare wissenschaftliche Erkenntnisse als Grundlage für Beschränkungen bezüglich der Verwendung von Zusatzstoffen dienen. Wir lehnen das in der Problemdefinition verwendete Prinzip der 'Attraktivität' als Basis zur Einführung von Rechtsvorschriften für Zusatzstoffe ab. Der Begriff selbst ist sowohl vage als auch subjektiv und daher als Zielsetzung für Rechtsetzungen ungeeignet. Er entbehrt jeglicher wissenschaftlich fundierten Grundlage, ist ungenau und willkürlich gewählt. Dahingegen unterstützen wir objektive Ziele in der Rechtssetzung wie z.B. Jugendschutz, wenn diese mit geeigneten und nachweislich zielführenden Mitteln umgesetzt werden. Im Gegensatz dazu sind wir beunruhigt über die ausufernde Verwendung des Begriffes 'Attraktivität' im Zusammenhang mit Zusatzstoffen seitens einiger Gesetzgeber, die den Begriff weder in einen

objektiven Zusammenhang nutzen noch Umfang und Bedeutung des Begriffes inhaltlich beschreiben. Es sind uns keine belastbaren Erkenntnisse bekannt, inwiefern die Verwendung von Zusatzstoffe die Entscheidung von Jugendlichen beeinflusst, mit dem Rauchen zu beginnen und bedürfen daher weitergehende Informationen seitens der EU-Kommission. Im Sinne eines funktionierenden Binnenmarktes ist es das Recht von legalen Herstellern von Tabakprodukten, seine Marken derart zu entwickeln, zu vermarkten und von Produkten anderer Hersteller zu unterscheiden, um im Wettbewerb um erwachsene Konsumenten zu bestehen.

which option

No Change

additional option

In Abwesenheit einer fundierten Problemdefinition sowie von angemessenen wissenschaftlichen Bewertungskriterien unterstützen wir Option 1, möchten aber im Sinne einer künftigen Diskussion die folgenden Punkte ergänzen: Wir glauben, dass jegliche Entscheidungen über eine Zulassung von Zusatzstoffen, deren Beschränkung oder gar ein Verbot auf einer vollständigen wissenschaftlichen Bewertung beruhen müssen, inwiefern die Verwendung die Risiken des Rauchens verstärkt. Weiterhin sollten erstmalig verwendete Zusatzstoffe im Vorwege der Verwendung einer identischen Bewertung unterzogen werden. Trotz einer grundsätzlichen Zustimmung zu einer EU-weit harmonisierten Liste basierend auf wissenschaftlichen Prinzipien, müssen wir die Optionen 2 und 3 ablehnen, da sie auf Kriterien wie 'Attraktivität' und 'Sucht' basieren. Wie bereits in den Erläuterungen zu Frage 1 ausgeführt, sind uns keine belastbaren wissenschaftlichen Beweise bekannt, auf die die EU-Kommission ihre Annahmen suchtvorstärkenden Wirkungen von Zusatzstoffen basieren kann und würden aufklärende Informationen zu diesem Punkt begrüßen. Mit Blick auf alle uns bekannten Forschungsergebnisse können wir das Argument der Suchtvorstärkung von Zusatzstoffen nicht akzeptieren. Sollte die EU-Kommission weiterhin überlegen, Restriktionen für eine oder mehrere Zusatzstoffe einzuführen, unterliegt sie der Verpflichtung, derartige Maßnahmen durch eindeutige Definitionen und belastbare wissenschaftliche Nachweise zu untermauern. Regulierungen im Bereich der Zusatzstoffe müssen wissenschaftlich fundiert sein und die Entwicklung von Risiko verminderten Produkten unterstützen; dabei ist ein Schwerpunkt auf die Bewertung von Rauchinhaltsstoffen zu legen. Wie bereits aus den Erläuterungen zu Frage 1 zu entnehmen ist, ist es unsere Überzeugung, dass nur nach der Aufstellung von wissenschaftlich fundierten Kriterien sowie der Fragestellung angemessener Prinzipien eine EU-weit harmonisierte Liste von Zusatzstoffen erstellt werden kann.

additional comments

Wir glauben, dass nur möglich ist, eine gemeinsame Liste von erlaubten Zusatzstoffen zu entwickeln, wenn valide wissenschaftliche Prinzipien und Kriterien, wie in unseren Kommentare beschrieben, vorhanden sind.

access to tobacco products

problem definition

No

explanations

Nein, wir stimmen der Problemdefinition nicht zu. Die Problemdefinition ist vage und nicht komplett. Wir glauben nicht, dass die Problemdefinition oder die Konsultation in irgendeinem

Bereich dieses Abschnittes ein Problem identifiziert. Wir glauben, dass der Zugang zu Zigarettenautomaten streng kontrolliert werden soll, um den Verkauf von Zigaretten an Jugendliche zu vermeiden. Wir unterstützen dennoch nicht, dass Verkaufsautomaten überhaupt verboten werden, da dies den legitimen Zugang von erwachsenen Rauchern zu Zigarettenprodukten verhindern würde. Wir betrachten die Regulierung als essentiellen Bestandteil einer umfassenden Tabakkontrollstrategie – jedoch muss eine solche Regulierung wirksam, verhältnismäßig und umsetzbar sein und die Werte und Kultur einzelner Gesellschaften in Betracht ziehen. Aus unserer Sicht ist ein Verbot der Präsentation von Tabakprodukten am Verkaufsort nicht in Übereinstimmung mit diesen Kriterien.

„Denormalisierung“ von Tabakprodukten als Selbstzweck ist kein ausreichendes oder legitimes Politikziel, da Regulierung stets auf wissenschaftlichen Erkenntnissen beruhen sollte. Die Präsentation von Tabakprodukten am Verkaufsort ist wichtig für das Funktionieren des Wettbewerbs beim Verkauf von legalen Tabakprodukten. Sie informiert den Konsumenten über die Produkte, ihre Eigenschaften, den Preis und die Packungsgrößen. Besonders in Situationen, in denen andere Kommunikationswege beschränkt sind, müssen Konsumenten in der Lage sein einfach, schnell und wirksam das Vorhandensein und die Erhältlichkeit von Tabakprodukten zu erkennen und zwischen ihnen zu unterscheiden. Entsprechend dem hohen Umsatz und Wert von Tabakprodukten, ist die Präsentation für Händler unabdingbar um ihr Geschäft effizient zu betreiben. Es ist anerkannt, dass der Kauf von Tabakprodukten in hohem Maße geplant ist, die überwiegende Mehrheit der Konsument hat sich bereits vor Betreten eines Geschäfts entschieden, ein (bestimmtes) Tabakprodukt zu kaufen. Dementsprechend stimuliert die Präsentation von Tabakprodukten weder Impulskäufe noch behindert sie die Entscheidung von Rauchern, das Rauchen aufzugeben. Allerdings könnte es die Entscheidung von erwachsenen Rauchern beeinflussen, sich für eine andere Marke zu entscheiden. Sogar marginaler Markenwechsel verändert die Position der Wettbewerber im Markt. Es gibt keine Erkenntnisse, die glaubwürdig einen Zusammenhang zwischen der Präsentation von Tabakprodukten und dem Rauchbeginn von Jugendlichen herstellen. Tatsächlich lassen die verfügbaren Daten zu den Auswirkungen von Präsentationsverboten in Kanada und Island ernsthafte Zweifel an der Behauptung aufkommen, ein Präsentationsverbot reduziere das Rauchen bei Jugendlichen. Höchstwahrscheinlich führen Präsentationsverbote am Verkaufsort zu einem Anstieg des illegalen Handels von geschmuggelten und gefälschten Tabakprodukten. Die Fähigkeit von Konsumenten, zwischen legal gehandelten und illegalen Produkten zu unterscheiden, wird geschwächt, gleichzeitig wird Vertrieb und Verkauf von illegalen Produkten erleichtert. Falls die Herstellung, Verteilung und Verkauf von geschmuggelten und gefälschten Produkten erleichtert wird, würde dies die Fortschritte von Strafverfolgungsbehörden bei der Bekämpfung des illegalen Tabakhandels unterminieren. Wir fordern die nationalen Behörden auf, Lösungen in Erwägung zu ziehen, die verhältnismäßig, wirksam, faktenbasiert und nicht weitergehend sind als nötig, um die Politikziele zu erreichen. Z.B. Verstärkte Kontrolle des Zugangs zu Tabakprodukten ausschließlich für Erwachsene sowie Verhängung von Strafen für Zuwiderhandlung; die Erklärung von Stellvertreterkäufen, Käufen bzw. den Versuch von Käufen von Tabakprodukten durch Minderjährige zu Straftaten; zielgerichtete Aufklärungskampagnen, um die oben beschriebenen Maßnahmen wirksam und effizient bekannt zu machen; sowie die Verschärfung der Strafen für diejenigen, die wegen des illegalen Handels mit Tabakprodukten verurteilt wurden.

which option

No change

additional option

Im Zuge unserer Zweifel bezüglich der Problemdefinition können wir ausschließlich Option 1 – „NO CHANGE“ – unterstützen.

additional comments

Nein. Wir weisen auf unsere Antwort zur Frage 1 hin.

Government submission

identification

affiliation

government

name

Andrea Crossfield, Director of Smokefree North West. This response is submitted on behalf of Smokefree North West which is an NHS collaborative tobacco programme funded by all 24 Primary Care Trusts in the North West. Its aim is to make smoking history for children and young people by breaking the inter-generational cycle of tobacco related health inequalities faced by our poorest communities, NGO

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questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

We recommend the following: + Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare

Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products.[1] The outcome of this consultation may assist the Commission in developing its policy on these products. Reference: [1] Medicines and Healthcare Regulatory Authority. Public consultation (MLX 364): The regulation of nicotine containing products (NCPs). June 2010
<http://www.mhra.gov.uk/Publications/Consultations/Medicinesconsultations/MLXs/CON065617>

**questions smokeless
problem definition**

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging. References for specific comments detailed below: [2] Borland R, Wilson N, Fong GT. et al. Impact of graphic and text warnings on cigarette packs: findings from four countries over five years. *Tob Control* 2009;18:358–64. doi:10.1136/tc.2008.028043 PMID:19561362 [3] Borland R, Yong HH, Wilson N. et al. How reactions to cigarette packet health warnings influence quitting: findings from the ITC Four-Country survey. *Addiction* 2009;104:669–75. doi:10.1111/j.1360-0443.2009.02508.x PMID:19215595 [4] Koslowski LT, Goldberg ME, Yost BA, et al. Smokers' misperceptions of light and ultra-light cigarettes may keep them smoking. *Am J Prev Med* 1998; 15: 9-16. [5] Government to demand no frills cigarette packs. ABC News 29 April 2010 <http://www.abc.net.au/news/stories/2010/04/28/2885166.htm> [6] Wakefield M, Germain D, Durkin S. How does increasingly plainer cigarette packaging influence adult smokers'

perceptions about brand image? An experimental study. *Tobacco Control* 2008; 17: 416-421
[7] Hammond D. et al Cigarette pack design and perceptions of risk among UK adults and youth *Eur J Public Health*. 2009 Dec;19(6):631-7. [8] The lawfulness of requiring plain packaging for tobacco products. Opinion of Sir Richard Buxton. Nov 2008

additional comments

We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. [2,3] They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.[2] All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO): Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease.[4] The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products: We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes: There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging: We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow.[5] Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans.[6] Branding gives the misleading impression some cigarettes are safer than others.[7] The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.[8]

**questions on reporting
problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke.[9] Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking.[10] To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK. References: [9] Point of Sale Display of Tobacco Products. The Centre for Tobacco Control Research. University of Stirling, 2008. [10] Tobacco displays at the point of sale. ASH Briefing, Nov. 2010 This response to the EU Consultation on a Possible Revision of the Tobacco Products Directive 2001/37/EC is submitted on behalf of Smokefree North West (SFNW). SFNW is an NHS collaborative tobacco programme funded by all 24 Primary Care Trusts in the North West. Its aim is to make smoking history for children and young people by breaking the inter-generational cycle of tobacco related health inequalities faced by our poorest communities.

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Italia

questions scope
problem definition
Yes

which option
No change

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option
No change

questions on reporting
problem definition
No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option
Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission**identification****affiliation**

government

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country

England

gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

recommend option

A. We believe that the scope of the directive should be extended to cover ancillary products such as E Cigarettes.

additional comments

We would recommend the following approach: + Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. At present in Lancashire and in the UK there are a number of retail outlets that sell herbal cigarettes. This often can be the way in which young children access tobacco via learned behaviour in obtaining herbal cigarettes to experiment with before migrating to conventional cigarettes. We therefore recommend that the scope of the Directive be extended to include the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes) to encompass these products as the tobacco industry develops new product lines. Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. Such products can be marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking but it is our contention that it is appropriate for them to be brought under the framework of the tobacco products directive. E-cigarettes are now available in smoke shops and via the internet and are gaining in popularity and use. There is evidence to show that smokers are also turning to e-cigarettes as a way to help them to quit smoking. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products and determine whether or not they should be brought under the auspice of the directive.

questions smokeless

problem definition

Yes

which option

No change

additional option

No.

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Smokeless tobacco products popularity can be attributed not only to cultural social intake, particularly within ethnic minority groups and in certain communities, but also due to the fact that they are not seen as obtrusive or as costly and harmful as cigarettes. Smokeless tobacco products allow smokers unobtrusively to get their nicotine intake. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation, as trade in the products may go underground. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes) and should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. Obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit and deter young people from starting to smoke. Picture warnings are more effective than written warnings.² A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO). Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some

cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions with the addition of a quitline telephone number. Additional information on harmful substances in tobacco products This should include additional information on the health effects of tobacco consumption on inserts inside the packaging including advice on quitting smoking. Health warnings on water pipes There is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users are under the misconception that flavoured shisha is not in fact tobacco. Health warnings should be included on water pipes to make users aware of the potential harms that may occur. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging including the removal of all branding from the packaging and, in addition, the size and shape of the packaging should also be standardised and stipulated in order to prevent tobacco manufacturers from identifying brands via their creative use of differently shaped packaging as brand identifiers. Tobacco products should be sold only in plain packaging, with the appropriate health warnings etc visible together with the brand name. Tobacco manufacturers design their products to be appealing to all sectors of the community. There is now a growing body of evidence to show that tobacco advertising encourages young people to take up smoking and in countries where most forms of tobacco advertising and promotion are prohibited, tobacco packaging is now the tobacco industry's single most important marketing tool to promote their products to users. Research commissioned by ASH conducted in the United Kingdom among adults and youth aged 11-17 found that young people in particular were misled by the branding on cigarette packs. Specifically, respondents were asked to compare plain versions of Mayfair and Lambert & Butler cigarettes in which the colour and stylistic features of the pack were removed, leaving only the name of the brands printed against either a brown or white background. Findings indicate that removing the colour and brand design reduces the attractiveness of brands and reduces misleading perceptions of tar delivery and risk between varieties. This is especially true for young people who were less likely to believe some brands are less harmful and lower in tar than others when shown brands in generic packaging compared to normal branded packs. Young people also found plain packaging far less attractive than branded packs.

questions on reporting
problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients
problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavouring that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising Directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet and we support the prohibition of tobacco sales via the Internet.

Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source including currently in the UK from October 2011. We support this measure.

Minimum Pack Size. We would support the need to review the minimum pack size in which cigarettes are sold. The majority of 11-15 year olds who smoke in the UK stated that they purchased a packet of 10 cigarettes the last time they smoked and cost of tobacco is a major factor in deciding whether to take up the habit or quit. It is well established that a +10% tobacco price increase equates to -4% demand in high income countries, therefore by increasing the minimum pack size to 20 would promulgate a delay in young people taking up smoking as they are responsive to price increases along with deprived communities (the very same rational as to why single cigarette sales were legislated against in the UK, as retailers were splitting packs to sell to children, as they could afford to purchase a single cigarette, but not a full pack).

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italy

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Non concordo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è

l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Sono anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati

which option

No change

questions on reporting

problem definition

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission**identification****affiliation**

government

name

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Greece

age

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gender

female

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

additional comments

Όλα τα προϊόντα, θα πρέπει να έχουν επισήμανση ανάλογη των απλών τσιγάρων, κοινή για κάθε μορφή ηλεκτρονικού τσιγάρου, μασώμενου, εισπνεόμενου ή καπνιζόμενου καπνού. Ιδιαίτερα για τα ηλεκτρονικά τσιγάρα, θα πρέπει να συμπεριληφθούν ακόμη και οι αμπούλες

τους που δεν περιέχουν νικοτίνη.

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

additional comments

Θα πρέπει να υπάρχει κοινή πολιτική για όλα τα μασώμενα είδη καπνού.

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products

additional comments

Πρέπει να ενταθούν οι έλεγχοι των τιμών πίσσας, νικοτίνης και μονοξειδίου του άνθρακα (για τα οποία πρέπει να συνεχίσουν να υπάρχουν ανώτερα όρια). Οι εταιρείες πρέπει να δηλώνουν (μαζί με τα υπόλοιπα συστατικά) και τις τιμές αυτών των παραμέτρων όπως αναλύθηκαν, για κάθε σήμα. Όλα αυτά τα στοιχεία πρέπει να βρίσκονται σε ηλεκτρονικό αρχείο, κοινό για όλη την Ευρωπαϊκή Ένωση, προσβάσιμες από όλες τις ελεγκτικές αρχές.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

regulation of ingredients

problem definition

Yes

which option

Introducing the basic criteria on the EU level without a common list

additional comments

Τα πρόσθετα μπορούν να αλλάζουν συνεχώς και οι λίστες θα πρέπει να ανανεώνονται εξίσου γρήγορα.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet

Government submission

identification

affiliation

government

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country

Italia

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute

dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting

problem definition

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

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government

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country

Italia

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate,

le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting

problem definition

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco

which option

No change

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Polska

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy.

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Zakaz stosowania dodatków w produkcji papierosów doprowadzi do eliminacji z uprawy tytoniu Burley. Przepisy powinny iść w kierunku ograniczenia dodatków które zwiększają toksyczność i uzależnienie od papierosów, nie powinny eliminować dodatków poprawiających właściwości(wilgotność)

which option

No Change

access to tobacco products**problem definition**

No

which option

No change

Government submission**identification****affiliation**

government

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Finland

age

58

gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

All tobacco products are hazardous to health – there is no safe level of usage. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes), while the prohibition of any novel forms of oral tobacco, including snus, should be maintained. Herbal cigarettes are also harmful because it is the combustion and inhalation of smoke that causes most of the harm from smoking. Therefore, herbal cigarettes should be included in the scope Tobacco Products Directive and should also be subject to health warnings requirements. Finally, all forms of nicotine based products (that is, products containing nicotine but which are not tobacco products, such as electronic cigarettes, nicotine gel, drinks, and sweets) are often marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking. Therefore, they should only be sold as quitting aids and comply with specific safety and quality requirements under the same regulatory framework as pharmaceutical products rather than under the scope of the Tobacco Products Directive.

questions smokeless

problem definition

Yes

which option

No change

additional comments

The ban on snus should definitely be maintained. This is high priority. Indeed, there is no legitimate reason to introduce a dangerous product onto the market, particularly as, from an internal market point of view, we have no idea how snus would be perceived or used in other countries. A small study conducted by the University of Nottingham by Professor Ann McNeil showed that, in the UK, people could not see the point of snus unless it was as a cessation aid (i.e. there is currently no demand). For internal market purposes, it really does not make sense to lift the ban. Furthermore, if the ban on snus were to be lifted, it could encourage dual use of cigarettes and smokeless tobacco and discourage total abstinence from tobacco, thus weakening any potential health gains. In this context, we stress that there are

already available effective treatments for nicotine addiction, including medicinal nicotine (NRT), that do not carry the risks associated with the use of snus. These NRT products should be promoted first and foremost. It is clear that the public health interest can be served even more by encouraging a) greater use of these treatments and b) the development of more effective cessation aids. Regarding other forms of smokeless tobacco products, the University of Helsinki Department of Public Health (UHPH) does not believe that they should be “marketed” in any of the Member States. We recognise that they are as addictive and dangerous as smoked tobacco. As stated in the Opinion of the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR), many forms of smokeless tobacco increase the risk of mouth, esophageal, pancreatic and liver cancer, and other conditions including gum and heart disease. They also increase the risk of cardiovascular disease and depression. Concerning all smokeless tobacco products, the UHPH concludes that there is no sense of allowing new tobacco products to enter the markets of EU. There are safe nicotine products and other medications available for tobacco dependence treatment. Thus, smokeless tobacco is not justified for harm reduction or smoking cessation purposes either. Replacing one tobacco products by another tobacco product is not a justified solution of the Europe-wide tobacco epidemic.

questions consumer

problem definition

No

explanations

The problem definition could be improved. We agree with the Commission that the current situation, whereby some Member States have made graphic warnings compulsory and others not, has led to a disparity in labelling throughout the EU. Consequently, this has an impact on the functioning of the internal market, on consumers' awareness and as a result, on their smoking behaviour. We also agree that packaging as an advertising tool is not covered by the current Directive. Finally, we welcome the acknowledgement that tobacco packaging and product features are increasingly used to attract consumers, to promote products and brand image. In this context, it would have been judicious to highlight the fact that, in the Eurobarometer survey released in 2010, the policy that received the most positive response is that of putting health warnings on all packages of tobacco products (on average, 75% of EU citizens are in favour of mandatory pictorial warnings, and over 54% support plain packaging measures).

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

Crucial importance of Graphic health warnings: Evidence shows that text only warning messages are not as effective as graphic warnings. Pictures, especially fear inducing pictures, are proven to be effective in getting consumers more engaged with the warning message. Pictures are able to immediately provoke a reaction and prompt people to read the associated

text message. The need for graphic health warnings on both sides of the pack: There is also evidence that pictures on both sides of the packaging have a greater impact. The need for LARGE pictorial health warnings (80%): Evidence clearly shows that increasing the size of warning messages (text only and combined text and picture) increases the effectiveness of the warning amongst both young and adult smokers / non smokers. Research carried out in Canada by Createc on behalf of Health Canada in 2007 showed that young and adult smokers/non smokers are sensitive to the size of health warning messages. Results showed that warning messages that cover 100% of the pack are significantly more effective across all measured effectiveness indicators compared with warning messages that cover only 50% of the pack. The importance of Rotation: Warning texts and pictures should be displayed on a rotating basis, so that each message is given equal display and can reach its target audience. The proved effectiveness of shocking health warnings & targeted messages: as specified in the Sambrook Research International report, fear inducing warnings (using strong “shocking” images related to health risks such as rotten teeth or throat cancer) and strong emotion inducing warnings (especially involving children and unborn babies) are the most effective way to educate consumers on the health risks of tobacco use and to achieve changes in attitudes and behaviour. These warnings’ effectiveness is enhanced if they are used in conjunction with a quit line. Generic or plain packaging: We strongly recommend the introduction of standardised/plain packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis concludes that this is incorrect and there are no international legal impediments to the implementation of generic packaging. Replace TNCO quantitative labelling with qualitative information on contents, emissions and quit-lines: The inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs promotes the mistaken belief that some cigarette brands are less harmful than others. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. We stress the importance of putting quit line numbers on the package. As underlined in the Sambrook research (p46), providing a telephone number on the pack is more effective than telling smokers to seek advice from a doctor or pharmacist. P46 Health warnings on water pipes: There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. Warnings should also be included on the packaging of tobacco used in water pipes.

additional comments

Under Article 5.3 of the TPD 2001, Member States have the option to adopt pictorial warnings. This situation emphasised the right of Member States to go further than the Directive to protect public health as set out in Article 30 of the Treaty of the Union (now article 36). Ten years after the entering into force of the TPD, four countries (the UK, Belgium, Romania and Malta) have adopted the option. More countries such as Spain and France are planning to adopt mandatory pictorial warnings. Such measures are in compliance with the current TPD and are welcomed by the tobacco control community. However, their adoption by some Member States necessarily creates growing discrepancies between Member States. As stated above, there is clear evidence that pictorial warnings are much more powerful than written health warnings. Extending the information and protection to all EU

Member States would be in harmony with Article 168 of the TFEU and consistent with the objectives of the internal market stated in Article 114.3 of the TFEU and reiterated in Recital 19 of the Directive. A revision of the TPD should, therefore, aim at making pictorial health warnings of tobacco products subject to common rules. Note: Legislation on labelling, advertising and product regulation put forward by the Commission in the field of tobacco control, has been based on the internal market legislation (Articles 26 and 114 of the TFEU). Article 26 of the TFEU establishes the internal market. Article 114 gives EU institutions the competence to regulate and set rules for the functioning of the internal market. More specifically, article 114.3 also states that when establishing rules for the functioning of the internal market in the context of health, safety, environmental protection and consumer protection, the Commission “will take as a base a high level of protection, taking account in particular of any new development based on scientific facts.” The European Court of Justice (the “ECJ”) made an extensive analysis of Article 95 EC (now Article 114) throughout the years. In *Spain v. Council*, the Court observed that “recourse to Article 100a (now Article 114) as a legal basis is possible if the aim is to prevent the emergence of future obstacles to trade resulting from multifarious development of national laws.” The TPD was adopted on the basis of Article 114 TFEU (ex Article 95). As a result, Recital 19 of the TPD states that “[t]he presentation of warning labels and yields has continued to remain variable in the different Member States. As a consequence, consumers in one Member State may be better informed as to the risks of tobacco products than in another. Such differences are unacceptable and are liable to constitute a barrier to trade and to impede the operation of the internal market in tobacco products, and should therefore be eliminated.”

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. All tobacco manufacturers and importers should be subject to the same reporting requirements. The UHPH believes that tobacco products, which are highly harmful, should be subject to an effective reporting system that allows the gathering and analysis of relevant data, including comparison as appropriate, in order to ensure high levels of consumer safety and information. The format already exists (based on the voluntary reporting format developed by the Commission in May 2007) and it would therefore be very easy to adopt this measure and to implement it. We welcome the introduction of yearly registration fees in order to finance the data collection on ingredients by the national authorities and their analysis work on ingredients. The payment of penalties in case of non-compliance with the requirements of delivery of data on tobacco product ingredients also seems adequate and would contribute to fund the tests conducted on these products. It is crucial that the appropriate toxicological and addictiveness tests are properly conducted. Such tests would allow policy-makers to make more informed decisions in this field, as there would be more scientific evidence. It would enhance the scientific knowledge of the dangers of tobacco products and would contribute to a high protection of health, as stated in Article 95.3 TFEU. Besides, such measures would also have an indirect impact on illicit trade, since only registered products would be allowed on the market.

regulation of ingredients**problem definition**

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. We believe that tobacco products are highly toxic and addictive, and that their content should therefore be closely regulated, in order to achieve high standards of health protection, as stated under article 114.3. There is a need for such a list at EU level since at the moment, consumers in the internal market are not subject to the same level of protection. Some citizens may be using substances that are banned in other Member States. Apart from creating unequal health protection across the EU, this may constitute an obstacle to free movement of goods within the internal market: some countries can refuse access to their markets of cigarettes from Member States that do not comply with the importing Member State's national requirements. Regulation of Flavours and Ingredients: Flavourings are an increasingly important part of tobacco industry marketing, particularly to young people. Flavourings enhance attractiveness, encourage youth initiation, and discourage cessation. The prohibition of ingredients that may be used to increase attractiveness, such as sugars and sweeteners, flavouring substances, and spices and herbs, in cigarettes and cigarette-like tobacco products should be introduced. The prohibition of ingredients that may create the impression of a health benefit (e.g. vitamins), ingredients associated with energy and vitality (e.g. caffeine), and ingredients with colouring properties (e.g. pink cigarette paper) should also be banned. Tobacco manufacturers and importers should report sales volume information by brand. This information is essential to help governments ensure that product regulation is effective. The above measures should be compliant with the Guidelines on Art. 9/10, adopted unanimously at the Fourth Conference of the Parties in Uruguay on the 20th November 2010.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

We urge the Commission to call for a ban on the promotion of tobacco products at point of sale and a ban on vending machines as described in the Art 13 Guidelines of the FCTC.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to

protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. Evidence shows that a coordinated cross border marketing strategy on the part of the tobacco companies is reflected at point of sale (i.e. point of sale marketing is similar in most EU countries (i.e.: a brand is advertised at point of sale in the same way in Germany and Belgium). There is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway). This measure is also official government policy in Scotland, Wales and Northern Ireland and a decision is awaited in England. We strongly support an EU-wide adoption of a ban on the display of tobacco products at the point of sale.

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Italia

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

**questions on reporting
problem definition**

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

identification

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government

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ITALIA

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

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which option

No change

**questions on reporting
problem definition**

No

explanations

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which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

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renderebbero poco conveniente per gli acquirenti internazionali rimanere attivi sul nostro mercato. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

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which option

No change

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government

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country

Italia

questions scope

problem definition

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting**problem definition**

No

explanations

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which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette.

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which option

No Change

access to tobacco products

problem definition

No

explanations

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which option

No change

Government submission

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government

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Poland

questions scope

problem definition

No

explanations

No comment

which option

No change

questions smokeless

problem definition

No

comments

no comment

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

No comment

which option

No change

questions on reporting

problem definition

No

explanations

No comment

which option

No change

regulation of ingredients

problem definition

No

explanations

No comment

which option

No Change

access to tobacco products

problem definition

No

explanations

No comment

which option

No change

Government submission

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Germany

gender

male

questions scope

problem definition

No

explanations

"Kein Kommentar"

which option

No change

questions smokeless

problem definition

No

comments

"Kein Kommentar"

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

"Kein Kommentar"

which option

No change

questions on reporting

problem definition

No

explanations

"Kein Kommentar"

which option

No change

regulation of ingredients

problem definition

No

explanations

"Kein Kommentar"

which option

No Change

access to tobacco products

problem definition

No

explanations

"Kein Kommentar"

which option

No change

Government submission

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Italia

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting

problem definition

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello

dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

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government

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Polska

age

35

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy (ułatwienie podrabiania prostych opakowań) i przynieść negatywne konsekwencje gospodarcze i społeczne plantatorom tytoniu oraz przedsiębiorcom legalnie handlującym wyborami tytoniowymi.

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Wprowadzenie proponowanego zakazu stosowania dodatków w produkcji papierosów może doprowadzić do eliminacji z uprawy tytoniu odmiany Burley. Przepisy powinny iść w kierunku reglamentacji tylko tych dodatków, które zwiększają toksyczność i uzależnienie od papierosów, nie powinny natomiast eliminować dodatków potrzebnych w procesie technologicznym produkcji papierosów.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Wprowadzenie zakazu pokazywania papierosów w sklepach przyczyni się do pogorszenia ekonomicznej sytuacji tych placówek, może przenieść część konsumpcji na nielegalne papierosy oraz utrudni egzekucję prawa przez odpowiednie służby takie jak policja (np. egzekwowanie zakazu sprzedaży papierosów nieletnim)

which option

No change

Government submission**identification****affiliation**

government

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country

Polska

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy (ułatwienie podrabiania prostych opakowań) i przynieść negatywne konsekwencje gospodarcze i społeczne plantatorom tytoniu oraz przedsiębiorcom legalnie handlującym wyrobami tytoniowymi.

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Wprowadzenie wymaganego zakazu stosowania dodatków w produkcji papierosów może doprowadzić do eliminacji z uprawy tytoniu odmiany Burley przepisy powinny iść w kierunku reglamentacji tylko tych dodatków które zwiększają toksyczność i uzależnienie od papierosów, nie powinny natomiast eliminować dodatków potrzebnych w procesie technologicznym produkcji papierosów.

which option

No Change

access to tobacco products**problem definition**

No

which option

No change

Government submission

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government

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age

47

gender

male

questions scope

problem definition

Yes

which option

No change

recommend option

Tobacco smoking is harmful to health, but many economies depend on this activity to finance meaningful economic and social programmes. The Directive should also address viable and sustainable alternative economic activity that tobacco farmers can engage in. Such proposals should also address the financing of such changes to alternative economic activity in terms of new investment, capacity building and human resource development.

additional comments

Implementation of alternative economic activity need a reasonable timeframe of between 10 to 25 years.

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

Yes

which option

Introducing the basic criteria on the EU level without a common list

additional option

Ingredients should not be banned in an across the board manner. Some ingredients are essential for purposes of distinguishing cigarette types and do not necessarily cause harm ion themselves.

access to tobacco products**problem definition**

Yes

which option

No change

additional option

Controlling supply and access can be abused and may lead to administrative manipulation, with all the likely attendant anti-competitive actions. Bans are totally uncalled for. Restrictions can be introduced say for scientifically proven ingredients that attract youth consumption of tobacco products.

Government submission**identification****affiliation**

government

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country

Denmark

age

30

gender

male

questions scope**problem definition**

Yes

which option

No change

recommend option

The European Commission could very well include products like herbal cigarettes and E-cigarettes in the directive, however this should not automatically lead to an ban on novel tobacco products, without proper scientific evidence. I would also like to add that overall I think that it is not EU's task to propose prohibitions without thorough, prior scientific evidence

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

additional option

In my view all tobacco products can cause cancer and can be addictive. On the other hand; recent studies show significant health benefits if people switch from cigarettes to smoke-free products, furthermore smoke-free products are effective as a method to stop smoking. As I see it; there are no obvious health benefits from prohibiting the sale of snus and the likes in the EU. Being Danish I can see that the use of tobacco products in Sweden and Denmark are comparitible, but the number of people with cancer in Sweden is much lower. The reason seem to be that more people in Sweden use snus instead of cigarettes. I see no reason why the EU should decide wether snus should be allowed or not, instead each member-state should create national legislation to govern this field based on scientific evidence.

questions consumer**problem definition**

No

explanations

The problem definition show no scientific evidence that supports the view. It is not EU's task to govern on behalf of emotions and I cannot acknowledge how this will improve Internal Market issues.

which option

No change

additional option

Smokers are aware of the health risk and the higher risk of cancer and other types of illness related to smoking. Very few products in the world today do not have a label stating the severe risks related to smoking on the front package. Smokers are aware of the health risks related to smoking and no graphical setup can add anything to that fact. I strongly believe that it is in the consumer's interests that we have a free market, and as a minimum , brands must be visible to the consumers e.g. in form of a logo and/or special brand characteristics.

additional comments

The proposed legislation like the proposed will make it easier for criminals to copy products. This has been observed in other countries such as Norway, ref to Helse- og omsorgsdepartementets "Høring vedrørende forslag om forbud mot synlig oppstilling av tobakksvarer på utsalgssteder mv." from 9. juli 2007. If the EU finds it necessary to create legislation on this matter, I expect the principle of subsidiarity to be respected.

questions on reporting

problem definition

No

explanations

Today member states already have the ability to introduce different sanctions and enforcement methods. I do not see this as a task for EU.

which option

Establish a common compulsory reporting format

additional options

A common reporting format would be beneficial in order to improve The Internal Market. However, I would like to emphasize that this is being conducted in a sufficient protective manner.

regulation of ingredients

problem definition

No

explanations

All legislation on ingredients to any type of products should be based on scientific evidence that document that adding ingrediets increases the toxicity of the product. The EU should not promote legislation based on attractiveness. Most ingredients may be necessary for the product without necessarily causing any extra toxicity. The current definition does not take this view into consideration.

which option

No Change

additional option

I agree with the fact that there are good reasons to create a common list of either basic criteria or even a positive/negative list. However, I am not sure whether the proposed options make it possible to suggest a positive/negative list based on scientific evidence on toxicity – or even basic criteria.

access to tobacco products

problem definition

No

explanations

The problem definition does not provide any scientific evidence which proves that limiting the access of products should have a health effect big enough to justify such an intervention in the free market. I believe that tobacco brands should be allowed to be on display in the retail sector. Furthermore, I believe that the more the access to legal selling points are being restricted which can enforce current regulation, for instance age restrictions, the more you leave to black markets or perhaps even counterfeit products.

which option

No change

additional option

As stated above I do not believe that the problem definition is correct, and therefore I cannot support either controlled access nor banning

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Italy

questions scope

problem definition

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

Yes

which option

No change

questions on reporting**problem definition**

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

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government

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Republica Dominicana

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

No estamos de acuerdo con la prohibición de uso marcas

which option

No change

questions on reporting**problem definition**

No

explanations

Sin comentarios

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

La prohibición de ingredientes debe ser basada en información o datos científicos

which option

No Change

access to tobacco products

problem definition

No

explanations

No estamos de acuerdo con la prohibición de poder mostrar productos de tabaco para que consumidores adultos

which option

No change

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government

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Germany

questions scope

problem definition

No

explanations

das ist nicht notwendig

which option

No change

questions smokeless

problem definition

Yes

which option

No change

questions consumer

problem definition

No

explanations

ist nicht notwendig

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

Government submission

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government

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Deutschland

age

22

gender

female

questions scope

problem definition

No

explanations

"Kein Kommentar"

which option

No change

questions smokeless

problem definition

No

comments

"Kein Kommentar"

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

"Kein Kommentar"

which option

No change

questions on reporting

problem definition

No

explanations

"Kein Kommentar"

which option

No change

regulation of ingredients**problem definition**

No

explanations

"Kein Kommentar"

which option

No Change

access to tobacco products**problem definition**

No

explanations

"Kein Kommentar"

which option

No change

Government submission**identification****affiliation**

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Deutschland

age

21

gender

male

questions scope
problem definition
No

explanations
"Kein Kommentar"

which option
No change

questions smokeless
problem definition
No

comments
"Kein Kommentar"

which option
Lifting the ban on snus

questions consumer
problem definition
No

explanations
"Kein Kommentar"

which option
No change

questions on reporting
problem definition
No

explanations
"Kein Kommentar"

which option
No change

regulation of ingredients
problem definition
No

explanations
"Kein Kommentar"

which option
No Change

access to tobacco products**problem definition**

No

explanations

"Kein Kommentar"

which option

No change

Government submission**identification****affiliation**

government

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country

United Kingdom

questions scope**problem definition**

Yes

which option

No change

recommend option

The key features of the Tobacco Product Directive should apply to all tobacco products, whether smoked or not.

additional comments

The UK supports Option 1: The Tobacco Products Directive should deal only with tobacco products (whether smoked or non-smoked). The scope of the Directive should not be extended to cover other smoked products (which almost certainly will be marginal products such as herbal cigarettes) or non-tobacco products that deliver nicotine (that are already or could be regulated satisfactorily under pre-existing regulatory frameworks such as medicines safety legislation).

questions smokeless**problem definition**

Yes

which option

No change

additional option

No further observations.

additional comments

The United Kingdom has concerns about the safety and highly addictive potential of both smoked and non-smoked tobacco products. While smoking tobacco carries the greatest health risks for the tobacco user, the Opinion of the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR) of February 2008 highlights the health risks that are associated with the use of smokeless tobacco. Concerns also exist around the appeal of non-smoked tobacco to young people. We support Option 1: The current prohibition on the marketing of tobacco for oral use throughout the European Union (with the exception of Sweden) is operating satisfactorily and, given the health risks associated with the use of oral tobacco and the appeal of these products to young people, believe there are good reasons to maintain the status quo. On a population level, the use of other forms of smokeless tobacco is marginal, although smokeless tobacco products are used significantly by certain ethnic groups. The United Kingdom will consider arguments made for and against prohibition of all smokeless tobacco products.

questions consumer**problem definition**

Yes

which option

Improve consumer information

which improvement

Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products

additional option

Either options 1 and 2, or options 1 and 3 in the consultation document are not mutually exclusive. According to research reports, one of the key benefits of plain or standardised packaging is that health warnings would be more prominent. Options around the revision of the Tobacco Products Directive include moving forward with plain or standardised packaging jointly with options 1 or 2. All tobacco products, including smokeless and niche smoked products (such as water pipe tobacco and cigars) should be required to carry health warnings. Member States, as a minimum, should be able to require such products to carry picture health warnings from a European library of warnings.

additional comments

Option 2a: The United Kingdom requires picture warnings on all smoked tobacco products to maximise information available to the consumer about the harm of smoking. The United Kingdom will consider arguments made for increasing the size and changing the location of warnings on tobacco packaging if there are good reasons to believe such changes will have beneficial impacts on the behaviour of tobacco users. Option 2b: The United Kingdom strongly supports the replacement of tar, nicotine and carbon monoxide (TNCO) data on the pack with a more meaningful statement about the harms of tobacco use, and information on

smoking cessation services including telephone and web addresses of services. The inclusion of TNCO data can be misleading to consumers. Option 2c: The United Kingdom will consider arguments made for requiring information on harmful substances in tobacco products to be placed inside the package, particularly if there are good reasons to believe such a requirement will have beneficial impacts on the behaviour of tobacco users. Option 2d: The United Kingdom will consider arguments made for requiring health warnings on water pipes, particularly if there are good reasons to believe such a requirement will have beneficial impacts on the behaviour of tobacco users. There are likely to be practical obstacles that will need consideration to move forward with such a proposal. Option 3: Since the prohibition of tobacco advertising, the only way that tobacco products can be promoted in the United Kingdom is at the point of sale. The United Kingdom Government will look at whether the plain packaging of tobacco products could be an effective way to reduce the number of young people taking up smoking and to help those who are trying to quit smoking. The United Kingdom wants to make it easier for people to make healthy choices but will clearly need to make sure that there is good evidence to demonstrate that plain packaging would have a public health benefit as well as carefully exploring all the costs and benefits, the competition, trade and legal implications of the policy. Details on how the United Kingdom proposes to proceed with plain packaging will be set out in early 2011.

**questions on reporting
problem definition**

Yes

which option

Establish a common compulsory reporting format

additional comments

Option 2: The United Kingdom would be in support of measures to make the reporting of ingredients as simple as possible across Europe. Option 3: The United Kingdom is not opposed in principle to the idea of levying the tobacco industry to facilitate data collection and analysis of data on tobacco ingredients. However, more consideration needs to be given, particularly to the practicalities of such a requirement.

**regulation of ingredients
problem definition**

Yes

which option

No Change

additional comments

The options box above was a compulsory reply one. Therefore, although we chose the 'no change' option (as the one nearest to our position at this time - that is 'position to be decided'), the United Kingdom currently has no observations to make and will consider the arguments presented for and against each of the options presented in the consultation.

**access to tobacco products
problem definition**

Yes

which option

No change

additional option

We have ticked the 'no change' option as the options box above was a compulsory reply one. However, the situation for the UK is rather more complex than ticking one of the available options, as set out below.

additional comments

The key consideration for this part of the consultation is around the ease with which young people have access to tobacco products. In the United Kingdom, the majority of smokers start smoking regularly before turning 18. A key aspect of tobacco control needs to be reducing the easy access that people under 18 can have to all tobacco products. Current UK position

Recent legislation to stop tobacco sales from vending machines will come into effect in England on 1 October 2011, so removing an easy source of cigarettes from under-age smokers and a source of temptation for adults trying to quit. A legal challenge to this legislation was recently dismissed by the Court. The options around the display of tobacco in shops in the United Kingdom are currently under consideration, recognising the need to take action both to reduce tobacco consumption and to reduce burdens on businesses. An announcement about moving forward with tobacco display legislation in England will be made shortly. Additional views

Tobacco vending machines: Young people have been found to be easily able to access tobacco from vending machines in the United Kingdom. Legislation has been made to stop the sale of tobacco from vending machines in England, which will come into force in October 2011. Stopping the sale of tobacco from vending machines is likely to both reduce the access that young people have to tobacco and support adult smokers who want to quit by removing a source of temptation.

Display of tobacco in shops: Tobacco packaging has an important role in the continuing promotion of tobacco products. As proposals in this area are currently under consideration in the United Kingdom, no further observations will be made at this stage.

Cross-border retail sales: The sale of tobacco products by any means should be subject to adequate age checks to ensure young people do not have access. The sale of tobacco through the internet means tobacco can be accessed from places where prices are cheaper, reducing the public health impact of high tobacco tax policies. The United Kingdom will consider arguments made for and against requiring either further controls or a prohibition on the sale of tobacco products via the internet, particularly if there are good reasons to believe such measures will reduce the access young people have to tobacco.

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government

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age

56

gender

male

questions scope**problem definition**

Yes

which option

No change

recommend option

Alles soll bleiben wie es ist !

questions smokeless**problem definition**

No

which option

No change

questions consumer**problem definition**

No

explanations

Kein Kommentar

which option

No change

questions on reporting**problem definition**

No

explanations

kein Kommentar

which option

No change

regulation of ingredients**problem definition**

No

explanations
kein kommentar

which option
No Change

access to tobacco products
problem definition
No

explanations
kein kommentar

which option
No change

Government submission

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country
England

questions scope
problem definition
Yes

which option
Extend the scope of the Directive

additional comments

We need to prevent children and young people taking up smoking. We recommend the following: + Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products

(that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products.

**questions smokeless
problem definition**

Yes

which option

No change

additional comments

We have used our experience from working with communities across Greater Manchester. With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting. Our experience in Greater Manchester points to more public awareness, control and regulation of such products.

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the

packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is

unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Introducing the basic criteria on the EU level without a common list

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

We have used our experience of working with people who smoke across Greater Manchester. Internet. The principle of preventing cross-border promotion of tobacco products in order to

protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK.

Government submission

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Deutschland

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

Bei der Regulierung der ENDS (Beispiel elektronische Zigaretten) sollte nicht vergessen werden, dass herkömmliche Zigaretten nachgewiesenermaßen für vorzeitigen Tod und schwere Gesundheitsschäden vieler Konsumenten verantwortlich sind. Es wäre dem Verbraucher schwer vermittelbar, wenn ENDS einer schärferen Regulierung unterliegen als herkömmliche Zigaretten.

questions smokeless

problem definition

Yes

which option

No change

additional option

In Ergänzung zu Option 1 wird empfohlen, dass die Randprodukte ggf. einer Bewertung durch das SCENHIR unterworfen werden, so wie es mit dem Snus geschehen ist.

**questions consumer
problem definition**

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

Für die unmittelbare Zukunft werden die Optionen 2a bis 2d in der Kombination favorisiert. Für die mittelbare Zukunft sollte die Option 3 mit all den Möglichkeiten, die sich aus 2a bis 2d ergeben, angestrebt werden.

**questions on reporting
problem definition**

Yes

which option

Establish a common compulsory reporting format

additional options

Option 2 wird als sinnvoll eingeschätzt, wobei eine Bussgeldbewährung bei Verstößen gegen die Meldepflicht (siehe Option 3) befürwortet wird

regulation of ingredients

problem definition

No

explanations

Das BfR hält die Regulierung von Inhaltsstoffen, die bei Betrachtung der Beispiele anscheinend nur Zusatzstoffe sind, für wichtig, aber nicht in der Ausschließlichkeit, wie es dieses Dokument suggeriert. Abgesehen von der Regulierung der Inhaltsstoffe ist vordringlich eine Regulierung der Emissionen erforderlich, das BfR hat dazu bei Frage 3 geantwortet. Neben den Tabakzusatzstoffen sind auch Inhaltsstoffe, die auf den Tabak zurückzuführen sind, zu berücksichtigen. Es ist festzustellen, dass der Tabak in der Zigarette das bei weitem wichtigste toxische Prinzip darstellt. Bei der Verbrennung des Tabaks entstehen Tausende von Verbindungen, von denen viele auch CMR-Stoffe sind. Weiterhin enthält der Tabak den Suchtstoff Nikotin. Tabak enthält auch Schadstoffe wie z.B. die tabakspezifischen Nitrosamine, von denen zwei Vertreter eindeutig krebserzeugend für den Menschen sind. Bei

der Pyrolyse vieler organischer Verbindungen entstehen auch toxikologisch relevante Produkte, die CMR-Eigenschaften besitzen. Zusatzstoffe, Inhaltsstoffe und Tabak unterscheiden sich da überhaupt nicht und bilden gemeinsam den Rauch, der vom Verbraucher inhaliert wird. Das BfR verweist bezüglich der möglichen Regulierung des Zigarettenrauches auf die Antwort zur Frage 3. Eine ausschließliche Regulierung der Zusatzstoffe greift nach Ansicht des BfR zu kurz. Auch zusatzstofffreie Zigaretten sind gesundheitsschädlich und attraktiv und können den Verbraucher abhängig machen. Dies lässt sich daran verdeutlichen, dass auch Länder, in denen nur Virginia tabak ohne Zusatzstoffe (abgesehen vom Zigarettenpapier, Klebstoffen und Filtermaterialien) geraucht werden, ein vergleichbares Konsumverhalten haben wie Länder, in den überwiegend „American Blend“-Zigaretten (bestehend aus Mischungen von Burley-, Oriental- und Virginia tabak sowie Zusatzstoffen) geraucht werden. Sollte es das Ziel der Kommission sein, den europäischen Zigarettenmarkt von American-Blend-Zigaretten auf reine Virginia zigaretten umzustellen, dann wäre ein Verbot von Tabakzusatzstoffen, wie es in Kanada eingeführt wurde, allerdings zielführend.

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional option

Das BfR schlägt eine vordringliche Regulierung der Rauchgasbestandteile vor. Das BfR weist auf die aktuellen Vorschläge der WHO-Arbeitsgruppe (TobReg) aus den Jahren 2007 und 2008 hin. Dort wurden maximale Werte für verschiedene Schadstoffe im Zigaretten tabak sowie dem Zigarettenrauch vorgeschlagen. Durch künftige Absenkungen der Maximalwerte könnten langfristig Veränderungen zugunsten des Verbrauchers eintreten. WHO (2007) The Scientific Basis Of Tobacco Product Regulation – Report of a WHO Study Group. WHO Technical Report Series 945 WHO (2008) The Scientific Basis Of Tobacco Product Regulation – Second Report of a WHO Study Group. WHO Technical Report Series 951

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

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questions scope
problem definition
Yes

which option
Extend the scope of the Directive

questions smokeless
problem definition
Yes

which option
Lifting the ban on snus

questions consumer
problem definition
Yes

which option
Improve consumer information

which improvement
Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package

questions on reporting
problem definition
Yes

which option
Introduce fees and sanctions

regulation of ingredients
problem definition
Yes

which option
Establish a common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

Controlled supply and access

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale

Government submission**identification****affiliation**

government

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questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

recommend option

Hamburg würde die Erweiterung des Anwendungsbereichs begrüßen, insbesondere hinsichtlich der tabakrechtlichen Einstufung von Kräutерzigaretten, „elektronische Zigaretten/Zigarren“ und neuartigen Formen von Snus (Tobacco Cuts). Ferner vertreten wir die Auffassung, dass Vorprodukte, die vom Verbraucher Tabakerzeugnissen zugesetzt werden (Molasse-Mix für Wasserpfeifentabak) ebenfalls unter die Richtlinie fallen sollten.

questions smokeless**problem definition**

Yes

which option

Ban on all types of smokeless tobacco products

additional option

Auch mit einem Verbot aller Arten von rauchfreiem Tabak wird der private Bezug über das

Internet weiterhin möglich sein. Hinsichtlich des traditionellen Kautabaks sollten Daten zu Produktions- und Verzehrsmengen erhoben werden, um die Auswirkungen eines möglichen Verbots abschätzen zu können.

questions consumer

problem definition

Yes

which option

Improve consumer information

additional option

Nach hiesiger Auffassung erscheint keine der vorgeschlagenen Änderungsoptionen als gänzlich zutreffend. Vielmehr sollten alle Tabakprodukte mit Warnhinweisen gekennzeichnet werden. Die Art der Kennzeichnung sollte genauer definiert werden (z.B. zählt die schwarze Umrandung zur Fläche der Warnhinweise). Auch auf Wasserpfeifentabak sollten entsprechende Warnhinweise angebracht werden. Zur Zeit wird der Gebrauch von Wasserpfeifentabak eher verharmlost durch die Angabe, dass beim Rauchen kein Teer aufgenommen wird. Die Angaben aller enthaltenen Schadstoffe auf der Verpackung der Tabakerzeugnisse führt nach hiesiger Auffassung zu einer Informationsüberfrachtung des Verbrauchers. Die Einführung einer einheitlichen schwarz/weißen Verpackung wird als nicht durchsetzbar eingeschätzt. Es wird angeregt, dass die Verstöße gegen Kennzeichnungsvorschriften konsequenter weiter verfolgt werden sollten.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

additional options

Ferner sollte eine Regelung eingeführt werden, die die Möglichkeit eröffnet Verstöße gegenüber der Mitteilungspflicht zu ahnden.

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

additional option

Nach hiesiger Auffassung wäre eine Positivliste für bei der Herstellung eingesetzten Stoffe in Kombination mit einer Negativliste hinsichtlich toxikologisch unerwünschter Rückstände (z.B. Pestizide) wünschenswert.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned

Government submission**identification****affiliation**

government

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questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

additional comments

Herbal cigarettes are also harmful because it is the combustion and inhalation of smoke that causes most of the harm from smoking. Therefore, herbal cigarettes should be included in the scope Tobacco Products Directive and should also be subject to health warnings requirements. Finally, all forms of nicotine based products (that is, products containing nicotine but which are not tobacco products, such as electronic cigarettes, nicotine gel, drinks, and sweets) are often marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking. Therefore, they should only be sold as quitting aids and comply with specific safety and quality requirements under the same regulatory framework as pharmaceutical products rather than under the scope of the Tobacco Products Directive.

questions smokeless**problem definition**

Yes

which option

No change

additional comments

The ban on snus should definitely be maintained. This is high priority. Indeed, there is no legitimate reason to introduce a dangerous product onto the market, particularly as, from an internal market point of view, we have no idea how snus would be perceived or used in other countries. As highlighted by the Smoke Free Partnership a small study conducted by the University of Nottingham by Professor Ann McNeil showed that, in the UK, people could not see the point of snus unless it was as a cessation aid (i.e. there is currently no demand). For internal market purposes, it really does not make sense to lift the ban. Regarding other forms of smokeless tobacco products, EuroHealthNet does not believe that they should be “marketed” in all Member States. We recognise that they are as addictive and dangerous as smoked tobacco and substantially reduce health outcomes. As stated in the Opinion of the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR), many forms of smokeless tobacco increase the risk of mouth, esophageal, pancreatic and liver cancer, and other conditions including gum and heart disease. However, we also know that these products are mostly consumed in the UK and used by South Asian communities; introducing an EU-wide ban on these products now could lead to the creation of an unnecessary illegal market, pushing consumption underground. This is why we do not recommend an immediate ban on all types of smokeless tobacco products; we do recommend that they should be regulated in the same way as tobacco products.

questions consumer**problem definition**

No

explanations

The problem definition could be improved. We agree with the Commission that the current situation, whereby some Member States have made graphic warnings compulsory and others not, has led to a disparity in labelling throughout the EU. Consequently, this has an impact on the functioning of the internal market, on consumers' awareness and as a result, on their smoking behaviour. The labels perform a health promotion function by conveying the dangers of smoking and as a result, this can contribute to changing smoking behaviour and increasing health gains. Therefore, failing to make graphic health warnings compulsory in all member states had led to differences in the perception of health risks and consequences and failed to address the all the population groups, especially low socio-economic and vulnerable groups. We also agree that packaging as an advertising tool is not covered by the current Directive. Finally, we welcome the acknowledgement that tobacco packaging and product features are increasingly used to attract consumers, to promote products and brand image. This was further reinforced in the Eurobarometer survey released in 2010, which highlighted that on average, 75% of EU citizens are in favour of mandatory pictorial warnings, and over 54% support plain packaging measures.

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be

replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

Crucial importance of Graphic health warnings: Evidence shows that text only warning messages are not as effective as graphic warnings. Pictures, especially fear inducing pictures, are proven to be effective in getting consumers more engaged with the warning message. Pictures are able to immediately provoke a reaction and prompt people to read the associated text message. This method assists in changing behaviour and thereby, can contribute to increasing health gains, especially amongst young people and amongst vulnerable groups vulnerable who are more predisposed to start smoking. The need for graphic health warnings on both sides of the pack: There is also evidence that pictures on both sides of the packaging have a greater impact. The need for LARGE pictorial health warnings (80%): Evidence clearly shows that increasing the size of warning messages (text only and combined text and picture) increases the effectiveness of the warning amongst both young and adult smokers / non smokers. Research carried out in Canada by Createc on behalf of Health Canada in 2007 showed that young and adult smokers/non smokers are sensitive to the size of health warning messages. Results showed that warning messages that cover 100% of the pack are significantly more effective across all measured effectiveness indicators compared with warning messages that cover only 50% of the pack. The importance of Rotation: Warning texts and pictures should be displayed on a rotating basis, so that each message is given equal display and can reach its target audience. The proved effectiveness of shocking health warnings & targeted messages: as specified in the Sambrook Research International report, fear inducing warnings (using strong “shocking” images related to health risks such as rotten teeth or throat cancer) and strong emotion inducing warnings (especially involving children and unborn babies) are the most effective way to educate consumers on the health risks of tobacco use and to achieve changes in attitudes and behaviour. These warnings’ effectiveness is enhanced if they are used in conjunction with a quit line. Generic or plain packaging: We strongly recommend the introduction of standardised/plain packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis concludes that this is incorrect and there are no international legal impediments to the implementation of generic packaging. Replace TNCO quantitative labelling with qualitative information on contents, emissions and quit-lines: The inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs promotes the mistaken belief that some cigarette brands are less harmful than others. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. This is particular important for vulnerable groups or people from lower socio-economic groups as they tend to experience lower levels of health literacy and higher incidence of smoking. Moreover, we stress the importance of putting quit line numbers on the package.

additional comments

Under Article 5.3 of the TPD 2001, Member States have the option to adopt pictorial

warnings. This situation emphasised the right of Member States to go further than the Directive to protect public health as set out in Article 30 of the Treaty of the Union (now article 36). Ten years after the entering into force of the TPD, four countries (the UK, Belgium, Romania and Malta) have adopted the option. More countries such as Spain and France are planning to adopt mandatory pictorial warnings. Such measures are in compliance with the current TPD and are welcomed by the tobacco control community and public health community. However, their adoption by some Member States necessarily creates growing discrepancies between Member States. As stated above, there is clear evidence that pictorial warnings are much more powerful than written health warnings. Extending the information and protection to all EU Member States would be in harmony with Article 168 of the TFEU and consistent with the objectives of the internal market stated in Article 114.3 of the TFEU and reiterated in Recital 19 of the Directive. A revision of the TPD should, therefore, aim at making pictorial health warnings of tobacco products subject to common rules. Note: Legislation on labelling, advertising and product regulation put forward by the Commission in the field of tobacco control, has been based on the internal market legislation (Articles 26 and 114 of the TFEU). Article 26 of the TFEU establishes the internal market. Article 114 gives EU institutions the competence to regulate and set rules for the functioning of the internal market. More specifically, article 114.3 also states that when establishing rules for the functioning of the internal market in the context of health, safety, environmental protection and consumer protection, the Commission “will take as a base a high level of protection, taking account in particular of any new development based on scientific facts.” The European Court of Justice (the “ECJ”) made an extensive analysis of Article 95 EC (now Article 114) throughout the years. In *Spain v. Council*, the Court observed that “recourse to Article 100a (now Article 114) as a legal basis is possible if the aim is to prevent the emergence of future obstacles to trade resulting from multifarious development of national laws.” The TPD was adopted on the basis of Article 114 TFEU (ex Article 95). As a result, Recital 19 of the TPD states that “[t]he presentation of warning labels and yields has continued to remain variable in the different Member States. As a consequence, consumers in one Member State may be better informed as to the risks of tobacco products than in another. Such differences are unacceptable and are liable to constitute a barrier to trade and to impede the operation of the internal market in tobacco products, and should therefore be eliminated.”

**questions on reporting
problem definition**

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. All tobacco manufacturers and importers should be subject to the same reporting requirements. The SFP believes that tobacco products, which are highly harmful, should be subject to an effective reporting system that allows the gathering and analysis of relevant data, including comparison as appropriate, in order to ensure high levels of consumer safety and information. The format already exists (based on the voluntary reporting format developed by the Commission in May 2007) and it would therefore be very easy to adopt this measure and to implement it. We welcome the introduction of yearly registration fees in order to finance the data collection on ingredients by the national authorities and their analysis work on ingredients. The payment of

penalties in case of non-compliance with the requirements of delivery of data on tobacco product ingredients also seems adequate and would contribute to fund the tests conducted on these products. It is crucial that the appropriate toxicological and addictiveness tests are properly conducted. Such tests would allow policy-makers to make more informed decisions in this field, as there would be more scientific evidence. It would enhance the scientific knowledge of the dangers of tobacco products and would contribute to a high protection of health, as stated in Article 95.3 TFEU. Besides, such measures would also have an indirect impact on illicit trade, since only registered products would be allowed on the market.

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

We urge the Commission to call for a ban on the promotion of tobacco products at point of sale and a ban on vending machines as described in the Art 13 Guidelines of the FCTC.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to

protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. Evidence shows that a coordinated cross border marketing strategy on the part of the tobacco companies is reflected at point of sale (i.e. point of sale marketing is similar in most EU countries (i.e.: a brand is advertised at point of sale in the same way in Germany and Belgium). There is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway). This measure is also official government policy in Scotland, Wales and Northern Ireland and a decision is awaited in England. We strongly support an EU-wide adoption of a ban on the display of tobacco products at the point of sale.

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Suisse

questions scope

problem definition

Yes

which option

No change

additional comments

La problématique des cigarettes électroniques est différente

questions smokeless

problem definition

Yes

which option

No change

additional comments

Les différentes problématiques doivent être soigneusement distinguées. Un amalgame ne permet pas des réponses pertinentes

questions consumer

problem definition

Yes

which option

No change

additional comments

Les emballages génériques nous paraissent clairement pas compatibles avec la liberté du commerce et de l'industrie. En outre, le marché de la contre-façon pourrait s'en trouver renforcé

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

additional options

Néanmoins, c'est un point extrêmement technique qui rend difficile une prise de position adéquate de notre part

regulation of ingredients

problem definition

Yes

which option

Introducing the basic criteria on the EU level without a common list

additional option

Nous choisissons cette option, pour autant que cela n'entrave pas la liberté du commerce

access to tobacco products

problem definition

Yes

which option

No change

additional option

Nous estimons que les interdictions d'exposition des produits du tabac sont contraires à la liberté du commerce et susceptibles d'encourager le commerce illicite. Nous sommes sensibles au renforcement de la législation en matière d'interdiction de vente des produits du tabac aux mineurs.

Government submission

identification

affiliation

government

name

Interministerial and business expert committee for the revision of the Tobacco Products Directive 2001/37/EC (Ministry of Health of Slovak Republic, Ministry of Economy of the Slovak Republic, Ministry of Finance of the Slovak Republic, Customs Authority of the Slovak Republic, Branded Goods Association, Commerce Association of the Slovak Republic and Food Chamber of Slovakia)

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questions scope

problem definition

Yes

which option

No change

recommend option

We believe, that the scope of the directive should be enlarged, based on scientific assesment of other available tobacco and non-tobacco products e.g. electronic cigarettes. The regulator should examine these products first, before banning them as such.

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

We believe, that this measure will hand over a major part of the market into hands of criminal organizations, which will subsequently lead to loss of control over the content of tobacco products and thus endanger the health of EU citizens.

which option

No change

questions on reporting
problem definition

No

explanations

Member states can now use their power and establish a system of penalties for noncompliance with mandatory reporting. This should stay within powers of Member states

which option

Establish a common compulsory reporting format

additional options

Potential use of already working system from the project EMTOC, which is also recommended by the European Commission.

regulation of ingredients

problem definition

No

explanations

Ingredients regulation should be based solely on scientific assessment and therefore should operate with measurable criteria, e.g. increased toxicity and/or addictiveness of the tobacco smoke or product. Any measurement of attractiveness is according to our view impossible and unscientific.

which option

No Change

access to tobacco products

problem definition

No

explanations

Proposed ban or restriction of internet sales is in breach with the EC directive 2008/118/ECC. Every member state should have the right to decide on any restriction of such a sale, as it is in MS capacity to judge potential impacts of such sales on fiscal and tax issues related to the tobacco products. Also, a proposed ban or restriction of vending machines for tobacco products is now fully in competence of member states and should stay so, as they can judge the local situation the best. Slovakia has already banned vending machines. The proposed ban or restriction of display of tobacco products at points of sales has no proven effect on tobacco consumption and initiation of smoking by minors. It can easily lead to increase of illicit trade and will have significant impact on operational costs for retailers. It will also restrict the right of information for consumers.

which option

No change

Government submission

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Gt Britain

questions scope

problem definition

Yes

which option

No change

recommend option

Whilst the Rochdale Tobacco Alliance recognise that smokeless tobacco is harmful and would like to see the sale of all smokeless tobacco prohibited, we are concerned about the practicalities of this. The use of smokeless tobacco is currently embedded within some cultures, particularly by ethnic minority populations, and we are concerned that a ban would make it more difficult to engage with users to offer help in quitting. We would therefore recommend that these products are tightly regulated and subject to the appropriate consumer information such as health warnings, product information, control on underage sale, etc. We would also want to see that smokeless tobacco use is included within the stop smoking figures and targets for stop smoking services. Prevalence rates of the smokeless tobacco and niche tobacco products should be recorded and monitored particularly in the ethnic minority groups. Smokeless products should include the niche tobacco products and can even include them in the illicit trade as many of them have improper health warnings and ignore the tobacco control measures. We do not agree that smokeless tobacco products should be used as a quitting aid or promoted as a reduced harm product. Propagation of smokeless tobacco products including the niche tobacco products as harm reduction strategies/products be prohibited till validated by research based evidence or evidence from the manufacturers. There are many controlled and well researched products that can be used for helping people to stop smoking that should be promoted for this. We would not support the lifting of the ban on 'snus', as we would see this as a retrograde step. As far as I am aware the ban on the marketing of snus within the UK has been successful. It may therefore be appropriate to consider a phased approach to other types of smokeless tobacco, i.e. Initially there must be requirements on labelling and consumer information, alongside strong regulation, raised education and support for users to quit, with a view to prohibiting the product within prohibited by 2015.

questions smokeless

problem definition

Yes

which option

No change

additional option

Whilst the Rochdale Tobacco Alliance recognise that smokeless tobacco is harmful and would like to see the sale of all smokeless tobacco prohibited, we are concerned about the practicalities of this. The use of smokeless tobacco is currently embedded within some cultures, particularly by ethnic minority populations, and we are concerned that a ban would make it more difficult to engage with users to offer help in quitting. We would therefore recommend that these products are tightly regulated and subject to the appropriate consumer information such as health warnings, product information, control on underage sale, etc. We would also want to see that smokeless tobacco use is included within the stop smoking figures and targets for stop smoking services. Prevalence rates of the smokeless tobacco and niche tobacco products should be recorded and monitored particularly in the ethnic minority groups. Smokeless products should include the niche tobacco products and can even include them in the illicit trade as many of them have improper health warnings and ignore the tobacco control measures. We do not agree that smokeless tobacco products should be used as a quitting aid or promoted as a reduced harm product. Propagation of smokeless tobacco products including the niche tobacco products as harm reduction strategies/products be prohibited till validated by research based evidence or evidence from the manufacturers. There are many controlled and well researched products that can be used for helping people to stop smoking that should be promoted for this. We would not support the lifting of the ban on 'snus', as we would see this as a retrograde step. As far as I am aware the ban on the marketing of snus within the UK has been successful. It may therefore be appropriate to consider a phased approach to other types of smokeless tobacco, i.e. Initially there must be requirements on labelling and consumer information, alongside strong regulation, raised education and support for users to quit, with a view to prohibiting the product within prohibited by 2015.

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 60% of the front and back surfaces of all tobacco packaging.

additional comments

We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 60% of the front and back surfaces of all tobacco packaging, including

loose tobacco and smokeless tobacco. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings. All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Misleading labelling (0mg tar), safe and harm reduction claims should be prohibited. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection.

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional comments

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

Government submission**identification****affiliation**

government

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Deutschland

questions scope

problem definition

No

explanations

Jede Form der Regulierung von „Tabakerzeugnissen“ muss auf der Grundlagewissenschaftlicher Erkenntnis sowie zweifelsfrei gegebenen Rechtssetzungskompetenz der EU basieren. Dies gilt auch für mögliche Regulierungen oder gar Verbote für nikotinhaltige Produkte, die keinen Tabak enthalten oder zigarettenähnliche Produkt (Kräuterzigaretten)

which option

No change

questions smokeless

problem definition

No

comments

Kein Kommentar

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Es gibt keinen überzeugenden Beleg dafür, dass ein Warnhinweis umso wirksamer ist, je größer sein Format.

which option

No change

questions on reporting

problem definition

No

explanations

Die Mitgliedstaaten selbst sind gefordert, zusammen mit der Wirtschaft einen pragmatischen Weg zu diskutieren und umzusetzen. Ein notwendiger Handlungsbedarf ist im Mandat der Kommission zum Eingriff in bestehenden nationalen Abläufen wird nicht ersichtlich

which option

No change

regulation of ingredients**problem definition**

No

explanations

Die Problemdarstellung ist keinesachgerechte, an wissenschaftlichen Prüfstrategien und Standards orientierte und am Maßstab der Verhältnismäßigkeit ausgerichtete Diskussionsgrundlage

which option

No Change

access to tobacco products**problem definition**

No

explanations

Einige EU-Mitgliedsstaaten haben angekündigt, die Präsentation von Tabakprodukten zu untersagen

which option

No change

Government submission**identification****affiliation**

government

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country

Deutschland

questions scope**problem definition**

No

explanations

Jede Form der Regulierung von „Tabakerzeugnissen“ muss auf der Grundlage wissenschaftlicher Erkenntnisse sowie zweifelsfrei gegebenen Rechtssetzungskompetenz der EU basieren. Dies gilt auch für mögliche Regulierungen oder gar Verbote für nikotinhaltige Produkte, die keinen Tabak enthalten oder zigarettenähnliche Produkt (Kräuterzigaretten)

which option

No change

questions smokeless**problem definition**

No

comments

Kein Kommentar

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Es existiert bereitseinallgemeines Bewusstsein der Risiken des Rauchens. Ein Hinzufügen von Bildern auf den Warnhinweisen erhöht dieses Bewusstsein nicht – die Bilder wirken lediglich überwiegend abstoßend ohne eine zusätzliche Information zu bieten

which option

No change

questions on reporting**problem definition**

No

explanations

Kein Kommentar

which option

No change

regulation of ingredients**problem definition**

No

explanations

Die Problemdarstellung ist keineswegs sachgerecht, an wissenschaftlichen Prüfstrategien und Standards orientierte und am Maßstab der Verhältnismäßigkeit ausgerichtete Diskussionsgrundlage.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Kein Kommentar

which option

No change

Government submission**identification****affiliation**

government

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Deutschland

questions scope**problem definition**

No

explanations

Eine Einbeziehung von nikotinhaltigen Produkten oder zigarettenähnlichen Produkten in den Geltungsbereich der Richtlinie kann nicht alleine aus der Begründung herausfolgen, dass diese Produkte neu sind und nach der Auffassung der Kommission auch auf eine entsprechende Nachfrage in den einzelnen Märkten der EU 27 treffen

which option

No change

questions smokeless**problem definition**

No

comments

Der Konsum rauchloser Tabakerzeugnisse durch erwachsene und aufgeklärte Personen gefährdet weder die Gesundheit Dritter noch schränkt der Konsum dieser Produkte andere Personen in ihren Lebensgewohnheiten ein. Der Konsum dieser Produkte liegt in der Eigenverantwortung des Einzelnen. Das Bewerben und Verkaufen dieser Produkte muss daher möglich sein

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

EsgibtkeinenüberzeugendenBelegdafür,dasseinWarnhinweisumsowirksamerist,jegrößereinFormat

which option

No change

questions on reporting**problem definition**

No

explanations

DieMitgliedstaatselbstsindgefordert,zusammenmitderWirtschafteinenpragmatischenWegzudiskutierenundumzusetzen.EinnotwendigerHandlungsbedarfodergareinMandatderKommissionzumEingriffinbestehendenationaleAbläufewirdnichtersichtlich

which option

No change

regulation of ingredients**problem definition**

No

explanations

WettbewerbsrechtlicheAuswirkungeneinereinseitigenRegulierungvonProduktenmitZusatzstoffenwerdennichtthematisiert

which option

No Change

access to tobacco products**problem definition**

No

explanations

WedereinVerbotdesVerkaufsvonTabakwareninAutomaten,nochdieUntersagungderAuslagebzw.SichtbarkeitvonZigaretteninVerkaufsstellenweiseineingrenzüberschreitendenBezugauf.FürAutomatenergibtsichdasschondaraus,dassderenEinzugsgebietaufdieunmittelbareNachbarschaftzumAutomatenbeschränktist.

which option

No change

Government submission

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government

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Italia

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". Talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere state introdotte per suscitare stupore e shock. Non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. Siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. Tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e non sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che i sostegni diretti ai produttori, per compensarne i costi più alti, sono stati smantellati.

which option

No change

questions on reporting
problem definition

No

explanations

Siamo d'accordo sulla creazione di un formato comune di reporting ma non concordiamo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Siamo contrari all'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa.

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Riteniamo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

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age

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gender

male

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

We recommend the following: + Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products.

questions smokeless**problem definition**

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based

tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco. Medicines and Healthcare Regulatory Authority. Public consultation (MLX 364): The regulation of nicotine containing products (NCPs). June 2010 <http://www.mhra.gov.uk/Publications/Consultations/Medicinesconsultations/MLXs/CON065617> Borland R, Wilson N, Fong GT. et al. Impact of graphic and text warnings on cigarette packs: findings from four countries over five years. *Tob Control* 2009;18:358–64. doi:10.1136/tc.2008.028043 PMID:19561362 Borland R, Yong HH, Wilson N. et al. How reactions to cigarette packet health warnings influence quitting: findings from the ITC Four-Country survey. *Addiction* 2009;104:669–75. doi:10.1111/j.1360-0443.2009.02508.x PMID:19215595 Koslowski LT, Goldberg ME, Yost BA, et al. Smokers' misperceptions of light and ultra-light cigarettes may keep them smoking. *Am J Prev Med* 1998; 15: 9-16. Government to demand no frills cigarette packs. ABC News 29 April 2010 <http://www.abc.net.au/news/stories/2010/04/28/2885166.htm> Wakefield M, Germain D, Durkin S. How does increasingly plainer cigarette packaging influence adult smokers' perceptions about brand image? An experimental study. *Tobacco Control* 2008; 17: 416-421 Hammond D. et al Cigarette pack design and perceptions of risk among UK adults and youth

Eur J Public Health. 2009 Dec;19(6):631-7. The lawfulness of requiring plain packaging for tobacco products. Opinion of Sir Richard Buxton. Nov 2008 Point of Sale Display of Tobacco Products. The Centre for Tobacco Control Research. University of Stirling, 2008. Tobacco displays at the point of sale. ASH Briefing, Nov. 2010 Medicines and Healthcare Regulatory Authority. Public consultation (MLX 364): The regulation of nicotine containing products (NCPs). June 2010

<http://www.mhra.gov.uk/Publications/Consultations/Medicinesconsultations/MLXs/CON065617> Borland R, Wilson N, Fong GT. et al. Impact of graphic and text warnings on cigarette packs: findings from four countries over five years. *Tob Control* 2009;18:358-64.

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Government to demand no frills cigarette packs. ABC News 29 April 2010

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Hammond D. et al Cigarette pack design and perceptions of risk among UK adults and youth

Eur J Public Health. 2009 Dec;19(6):631-7. The lawfulness of requiring plain packaging for tobacco products. Opinion of Sir Richard Buxton. Nov 2008 Point of Sale Display of Tobacco Products. The Centre for Tobacco Control Research. University of Stirling, 2008. Tobacco displays at the point of sale. ASH Briefing, Nov. 2010

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK. . Medicines and Healthcare Regulatory Authority. Public consultation (MLX 364): The regulation of nicotine containing products (NCPs). June 2010

<http://www.mhra.gov.uk/Publications/Consultations/Medicinesconsultations/MLXs/CON065617> Borland R, Wilson N, Fong GT. et al. Impact of graphic and text warnings on cigarette packs: findings from four countries over five years. *Tob Control* 2009;18:358-64.

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Government to demand no frills cigarette packs. ABC News 29 April 2010

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questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Non concordiamo che "l'evidenza mostra che, se adeguatamente dimensionate e ben collocate, le avvertenze illustrate costituiscono una misura efficace per informare il pubblico in merito ai pericoli del fumo" e che "maggiore è la dimensione dell'avvertenza illustrata, maggiore ne è l'efficacia". talvolta le immagini illustrate introdotte in alcuni paesi per sostituire le avvertenze sanitarie scritte, più che informare il consumatore sembrano essere

state introdotte per suscitare stupore e shock. non sembra questa la strada migliore per proteggere la salute dei consumatori, che già sono molto consapevoli dei pericoli e della dannosità delle sigarette. siamo anche totalmente contrari all'introduzione del cosiddetto "pacchetto generico", che rischia di favorire il business delle organizzazioni criminali e di danneggiare le aziende serie che tradizionalmente forniscono solo società manifatturiere di altrettanta serietà ed operanti solo sul mercato legale, che si vedrebbero gravemente danneggiate per la distruzione del valore dei marchi. tra l'altro il "plain packaging" spingerebbe ad una concorrenza basata sul prezzo e sulla qualità, così danneggiando il tabacco europeo che della qualità superiore ha l'unica arma possibile, ora che che i sostegni diretti ai produttori, per compensarne i costi più alti sono stati smantellati.

which option

No change

questions on reporting

problem definition

No

explanations

Sono d'accordo sulla creazione di un formato comune di reporting ma non concordo con la creazione di un nuovo livello di imposizione fiscale che andrebbe a sovrapporsi a quello dello stato membro, creando confusione e andando contro i principi di uniformità dell'Unione.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Sono in totale disaccordo con l'ipotesi di vietare l'impiego di ingredienti nella produzione di sigarette. Questa ipotesi finirebbe per avere serie conseguenze per le produzioni di "Burley", in Italia e in tutta Europa. Questa qualità di tabacco, utilizzata principalmente per il cosiddetto "American blend", rispetto ad altre varietà di tabacco, necessita di un certo numero di ingredienti in fase di lavorazione. D'altra parte, come chiarito anche dall'OMS e dallo SCENIHR non esiste alcuna prova scientifica del fatto che le sigarette realizzate senza ingredienti (come quelle che utilizzano la varietà di tabacco "Virginia") siano meno dannose di quelle che necessitano di ingredienti. Questa, pertanto, appare una chiara discriminazione, che avrebbe il solo effetto di pregiudicare significativamente gli oltre 60.000 addetti alla coltivazione di tabacco in Italia e circa 400.000 in tutta Europa

which option

No Change

access to tobacco products

problem definition

No

explanations

Le enunciazioni del documento di consultazione, in realtà non definiscono il problema, ma fotografano unicamente il quadro normativo di riferimento, seppure in modo parziale. Sono infatti elencati nel documento solo i paesi in cui esistono misure estreme per regolamentare l'accesso ai prodotti: paesi, ad esempio, in cui i distributori automatici sono vietati o dove è vietata l'esposizione dei prodotti nei punti vendita. Ritengo che non si debba arrivare tanto lontano per ottenere gli obiettivi prefissati di salvaguardia dei minori. Il sistema italiano di monopolio e di controlli sull'accesso, se applicato con determinazione e con le giuste risorse a disposizione degli organismi di controllo, costituisce un'ottima soluzione per limitare l'accesso dei minori al tabacco.

which option

No change

Government submission

identification

affiliation

government

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country

The Netherlands

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

NL steunt de probleemdefinitie zoals geformuleerd door de EC. Met name de laatste jaren zijn er veel voorbeelden van producten, waarvan onduidelijk is in hoeverre zij onder de huidige richtlijn vallen. NL is voorstander van een brede discussie over de huidige definitie en de vraag welke producten onder een nieuwe richtlijn moeten worden gevat. Deze onduidelijkheid doet zich nu al voor bij de e-sigaret. Doordat dit door elke LS op een eigen manier geregeld is, ontstaat onzekerheid voor de consument als bedrijven, zowel op juridisch vlak als op gebruikersvlak. NL ziet graag dat er met de komst van een nieuwe richtlijn duidelijkheid komt over de juridische status van de e-sigaret, ook indien uit de discussie blijkt dat de e-sigaret in zijn vorm beter definitief onder de geneesmiddelenwetgeving gevat kan worden. Binnen deze discussie past ook een vergelijking met de gehanteerde definities in het kader van accijnswet- en regelgeving. Er bestaat nu verschil in beide richtlijnen in de definities van tabaksproducten. Bepaalde producten, zoals kruidensigaretten vallen nu wel onder de accijnsrichtlijn, maar niet

onder de tabaksproductenrichtlijn en NL vraagt zich af of dit verschil in alle gevallen gerechtvaardigd is. Bij een nieuwe definitie zal wel rekening gehouden moeten worden met het feit dat bestaande verplichtingen dan ook onder nieuwe producten gaan vallen.

Verplichtingen ten aanzien van gezondheidswaarschuwingen en reclamebeperkingen moeten in verhouding staan tot de schadelijkheid van het product en de regeldruk en administratieve lasten die deze extra verplichtingen opleveren voor het bedrijfsleven. Een verbreding van de definitie heeft bovendien ook gevolgen voor de handhaving.

questions smokeless

problem definition

Yes

which option

No change

additional option

NL vraagt zich met de EC af of snus, en rookloze tabaksproducten breed gezien, nu als stop- of als startproduct moeten worden gezien en ziet in de nieuwe richtlijn graag een antwoord op die vraag. Bovendien is de rookloze tabaksproductenmarkt een markt die zich snel ontwikkelt. Hoewel de bijwerkingen mogelijk minder ernstig zijn dan voor rooktabak, kleven er nog steeds gezondheidsrisico's aan deze producten. Volgens NL is wetenschappelijk onvoldoende aangetoond dat rookloze tabaksproducten, waaronder snus, effectief kunnen zijn bij het stoppen met roken. Bovendien kunnen rookloze tabaksproducten nog steeds het risico op een tabaksgerelateerde ziekte vergroten en zijn ze daarmee schadelijk voor de volksgezondheid. Sigaretten zijn echter nog schadelijker voor de volksgezondheid dan bepaalde rookloze tabaksproducten, terwijl sigaretten een legaal product blijven. NL vraagt zich daarom af of een verbod nog wel proportioneel is, gelet op andere rookloze tabaksproducten die nu wel zijn toegestaan. Er zijn geen aanwijzingen dat snus op de NL markt veel gebruikt wordt. NL kan in ieder geval instemmen met optie 1. Ten aanzien van optie 2 moet een verbod van snus qua proportionaliteit worden bekeken in een breder perspectief van verboden en toegestane tabaksproducten.

questions consumer

problem definition

Yes

which option

No change; Improve consumer information

additional option

NL ondersteunt de stelling van de EC dat objectieve consumenteninformatie een belangrijk onderdeel zouden moeten zijn van de verplichte gezondheidsinformatie op het pakje. NL pleit voor het vermelden van feitelijke informatie over de schadelijkheid van tabaksproducten. Dit betekent dat NL optie 1 kan steunen, en verder alleen veranderingen in consumenteninformatie steunt die voldoende feitelijk en objectief van aard zijn. NL vindt het vermelden van consumenteninformatie aan de binnenkant van het pakje een te grote administratieve last voor het bedrijfsleven. NL is kritisch ten aanzien van het verplicht stellen van foto's op pakjes. NL ziet een dergelijke verplichting als een nationale aangelegenheid die niet op Europees niveau zou moeten worden bepaald. De huidige richtlijn, waarbij pictorial warnings als keuze aan de lidstaten wordt aangeboden, is voor NL voldoende. Nederland

heeft begrip voor de invoering van een gezondheidswaarschuwing op waterpijptabak, maar bekijkt deze maatregel in relatie tot de discussie over de reikwijdte van de richtlijn en de proportionaliteit van de verplichtingen die daarmee gepaard gaan NL kan geen steun uitspreken voor de invoering van plain packaging, omdat de effectiviteit van die maatregel onvoldoende is aangetoond en er nog belangrijke juridische vragen blijven over de samenloop met intellectuele eigendomsrechten. NL ziet bovendien geen toegevoegde waarde in het vooraf reguleren van het formaat van het pakje

questions on reporting

problem definition

Yes

which option

No change; Establish a common compulsory reporting format

additional options

NL kan zich vinden in deze probleemdefinitie en ziet graag gelijkschakeling van de aanleveringsformat, om ook de vergelijkbaarheid van de data tussen lidstaten te bevorderen. NL heeft hierin de afgelopen periode geïnvesteerd door de ontwikkeling en ingebruikneming van EMTOC en ziet graag dat andere lidstaten ook van deze tool gebruik gaan maken. NL is kritisch ten aanzien van de introductie van boetes of jaarlijkse toeslagen voor het verwerken van de data. NL vraagt zich af of dit niet betekent dat een extra gebruikersbelasting wordt ingevoerd. Door het gelijkschakelen van aanleveringsformats en zeker door het gebruik van EMTOC zouden de administratieve lasten voor het bedrijfsleven dalen in vergelijking tot de situatie onder de huidige richtlijn. NL vraagt zich daarom af waarom dan nu tot de invoering van een extra toeslag zou moeten worden overgegaan. NL heeft al een handhavingssysteem voor niet naleving van de verplichting tot aanlevering van informatie. Dit deel van optie 3 kan dus worden gesteund.

regulation of ingredients

problem definition

Yes

which option

Introducing the basic criteria on the EU level without a common list

additional option

Zoals NL ook in tijdens de bespreking van de guidelines over art. 9 & 10 FCTC heeft aangegeven, staan het kritisch tegenover aanvullende maatregelen op het gebied van ingrediëntenregulering, met name waar het gaat om smaakstoffen die geen invloed hebben op de verslavendheid of de schadelijkheid van het product. NL is van mening dat het lang heeft geduurd voordat de huidige informatieverplichting voldoende functioneerde en is daarom geen voorstander om dit systeem nu sterk aan te passen. NL pleit ervoor te werken aan een basisset van criteria waar een eventuele toekomstige lijst aan zou moeten voldoen. Er is nog onvoldoende informatie beschikbaar over hoe een lijst, positief of negatief eruit zou moeten zien.

access to tobacco products

problem definition

Yes

which option

No change; Controlled supply and access

which supply and access

Access to vending machines to be restricted to adults

additional option

Optie 2a zou voor NL acceptabel zijn, maar NL heeft er grote twijfels bij of dit in de praktijk haalbaar is. Tot nu toe is gebleken dat handhaving van leeftijdsgrenzen een lastige taak is, en de handhaving van leeftijdsgrenzen via internetverkoop zal zeker niet gemakkelijk zijn. NL ziet op korte termijn geen oplossing om nationaal te implementeren Nederland heeft al een beperkte toegang tot tabaksverkoopautomaten. NL kent een leeftijdsgrens van 16 jaar voor het kopen van tabaksproducten, ook via tabaksverkoopautomaten. NL heeft daarom geen moeite met het verplicht stellen van optie 2b, zolang de verplicht gestelde beperking aansluit bij de Nederlandse leeftijdsgrens. . Ten aanzien van optie 2c is Nederland kritisch over het feit of deze maatregel voldoende effect heeft, specifiek op jongeren. Nederland is geen voorstander van verdergaande verboden op het gebied van de tabaksverkoop, omdat deze onderdelen zowel voor volwassenen als voor jongeren beperkend zijn. Bovendien kennen dergelijke verboden een grote belasting voor het bedrijfsleven. Mogelijk hebben dergelijke verboden ook negatieve effecten op de illegale sigarettenhandel. Volgens Nederland is de verkoop via tabaksverkoopautomaten nu voldoende gereguleerd.

Government submission**identification****affiliation**

government

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country

Republica Dominicana

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

No comment

which option

No change

questions on reporting

problem definition

No

explanations

No comment

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

La evaluacion de prohibicion de ingredientes debe estar basado en pruebas cientificas sobre la toxicidad.

which option

No Change

access to tobacco products

problem definition

No

explanations

No comment

which option

No change

Government submission

identification

affiliation

government

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Deutschland

questions scope**problem definition**

No

explanations

Es gibt keine wissenschaftliche Erkenntnisse.

which option

No change

questions smokeless**problem definition**

No

comments

Kein Kommentar

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Die jetzige Regelung ist völlig ausreichend.

which option

No change

questions on reporting**problem definition**

No

explanations

Kein Kommentar

which option

No change

regulation of ingredients

problem definition

No

explanations

Kein Kommentar

which option

No Change

access to tobacco products

problem definition

No

explanations

Kein Kommentar

which option

No change

Government submission

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country

United Kingdom

gender

female

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

Extend the scope of the Directive to include all smoked products including herbal cigarettes

questions smokeless

problem definition

Yes

which option

No change

additional option

No

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting

questions consumer

problem definition

Yes

which option

Introduce generic or plain packaging

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

No

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC)

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by

the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK.

Government submission

identification

affiliation

government

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country

UK

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

SmokeFree Liverpool recommends the following: • Extend the scope of the Directive to include all smoked products including herbal cigarettes. • Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Herbal cigarettes, which are used in a similar way as nicotine cigarettes, should be regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. All tobacco products are hazardous to health – there is no safe level of usage. SmokeFree Liverpool recommends that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Nicotine based products that contain nicotine but not tobacco, have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products (1). The outcome of this consultation may assist the Commission in developing its policy on these products.

SmokeFree Liverpool believes that the scope of the Directive should be extended to include smoking paraphernalia such as filters, cigarette paper, pipes, water pipes as well as the tobacco leaf. SmokeFree Liverpool agrees with the impact assessment study conducted by RAND Europe(2) stating that the primary benefit of extending the scope of the directive to paraphernalia and other non-tobacco nicotine products would be to increase consumers' awareness of the risks of these products. Smokers of roll-your-own cigarettes (RYO), pipes and water pipes often believe that these products are less harmful than manufactured cigarettes when in fact there is evidence to the contrary.(3,4). (1)Medicines and Healthcare Regulatory Authority. Public consultation (MLX 364): The regulation of nicotine containing products (NCPs). June 2010

<http://www.mhra.gov.uk/Publications/Consultations/Medicinesconsultations/MLXs/CON065617> (2) RAND Europe (2010): Assessing the Impacts of Revising the Tobacco Products Directive Study to support a DG SANCO Impact Assessment. At:

http://ec.europa.eu/health/tobacco/docs/tobacco_ia_rand_en.pdf (3) Young, D., R. Borland, D. Hammond, K. M. Cummings, E. Devlin, H. H. Yong and R. J. O'Connor, 'Prevalence and Attributes of Roll-your-own Smokers in the International Tobacco Control (ITC) Four Country Survey,' Tobacco Control, Vol. 15, Suppl., 3 Jun 2006, pp. iii76–82.3 (4) Richter, P. A., L. L. Pederson and M. M. O'Hegarty, 'Young Adult Smoker Risk Perceptions of Traditional Cigarettes and Nontraditional Tobacco Products', American Journal of Health Behaviour, Vol. 30, No. 3, May–Jun 2006, pp. 302–312.

questions smokeless

problem definition

Yes

which option

No change

additional comments

SmokeFree Liverpool advises that it is a high priority that the current ban on snus is definitely maintained. Indeed, there is no legitimate reason to introduce a dangerous product on the market, particularly as, from an internal market point of view, we have no idea how snus would be perceived or used in other countries. SmokeFree Liverpool believes that there is inadequate evidence on the impacts on smoking uptake and quit rates and no evidence to show the effect of introducing snus to a new market. The SCENIHR report(5) notes the difficulties of extrapolating to new markets from experience in existing markets, pointing out different patterns for smoking prevalence and snus use in Sweden and Norway for example. The switching behaviour reported in Swedish men is not reflected in Norway where smoking cessation rates have been similar in Norwegian men and women during the last decade, but increased use of smokeless tobacco is observed only in young men. There is little evidence that smokers in EU countries other than Sweden would find snus to be an acceptable alternative to cigarettes, were it to be legalised. If the ban on snus were to be lifted, it could encourage dual use of cigarettes and smokeless tobacco and discourage total abstinence from tobacco, thus weakening any potential health gains. (6) Therefore, there is no legitimate reason to justify bringing a new hazardous product onto the market. With regard to other smokeless tobacco products, particularly those used by ethnic minority populations, SmokeFree Liverpool does not believe that they should be “marketed” in all Member States. SmokeFree Liverpool therefore recommends that they are more tightly regulated (in the same way as tobacco products) but we do not support a total ban on such products. SmokeFree Liverpool fears that a total ban would likely be counter-productive by facilitating the use of

smokeless tobacco products underground and creating an unnecessary illegal market. This would make it more difficult to engage with users and to offer help in quitting. (5) Borland R, Wilson N, Fong GT. et al. Impact of graphic and text warnings on cigarette packs: findings from four countries over five years. *Tob Control* 2009;18:358–64. doi:10.1136/tc.2008.028043 PMID:19561362 (6) Borland R, Yong HH, Wilson N. et al. How reactions to cigarette packet health warnings influence quitting: findings from the ITC Four-Country survey. *Addiction* 2009;104:669–75. doi:10.1111/j.1360-0443.2009.02508.x PMID:19215595

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

(7) Createc report prepared for Health Canada (2008). Effects of modified packaging through increasing the size of warnings on cigarette packs. Quantitative study of Canadian adult smokers. (8) Koslowski LT, Goldberg ME, Yost BA, et al. Smokers' misperceptions of light and ultra-light cigarettes may keep them smoking. *Am J Prev Med* 1998; 15: 9-16. References for this section (9) Government to demand no frills cigarette packs. ABC News 29 April 2010 <http://www.abc.net.au/news/stories/2010/04/28/2885166.htm> (10) Wakefield M, Germain D, Durkin S. How does increasingly plainer cigarette packaging influence adult smokers' perceptions about brand image? An experimental study. *Tobacco Control* 2008; 17: 416-421 (11) Hammond D. et al Cigarette pack design and perceptions of risk among UK adults and youth *Eur J Public Health*. 2009 Dec;19(6):631-7. (12) The lawfulness of requiring plain packaging for tobacco products. Opinion of Sir Richard Buxton. Nov 2008

additional comments

Picture warnings should be mandatory in all MS and that should occupy a minimum of 80% of the front and back surfaces of ALL tobacco packaging. Warnings should be placed on the upper portion of the packs for max visibility. The current differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit (5)(6). They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings(5). Research carried out in Canada by Createc(7) on behalf of Health Canada in 2007 showed that smokers/non smokers are sensitive to the size of health warning messages. Results showed that warning messages that cover 100% of the pack are significantly more effective compared with warning messages that cover only 50% of the pack. We advocate that all warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that

78% of respondents supported health warnings. Information on Tar, nicotine & carbon monoxide (TNCO) The inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs promotes the mistaken belief that some cigarette brands are less harmful than others (8). The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. We advocate that this should include advice on quitting smoking. There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by the inclusion of a health warning on water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012(9). Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans (10). Branding gives the misleading impression some cigarettes are safer than others (11). The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis concludes that this is incorrect and there are no international legal impediments to the implementation of generic packaging in the EU (12).

questions on reporting
problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

SmokeFree Liverpool advises that the current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

additional comments

SmokeFree Liverpool support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

Whilst SmokeFree Liverpool would urge the Commission to call for a ban on the promotion of tobacco products at point of sale and a ban on vending machines, we are aware that these issues do not have cross-border effects. The legal basis for such measures at an EU level is weak. However, these measures are important for health protection and we call on the Commission to include them as non-mandatory measures as part of the Tobacco Products Directive. SmokeFree Liverpool believes that the Directive should also remind national governments that they should adopt a comprehensive ban on all forms of tobacco advertising, promotion and sponsorship in accordance with Article 13 of the FCTC which calls on Parties to. The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. SmokeFree Liverpool recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. SmokeFree Liverpool support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. SmokeFree Liverpool support this measure. However, as this does

not have cross-border effects, we urge the Commission to make the prohibition of tobacco vending machines a non-mandatory measure as part of the product directive. Point of Sale SmokeFree Liverpool support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke (13). Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking (14). To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK. (13)Point of Sale Display of Tobacco Products. The Centre for Tobacco Control Research. University of Stirling, 2008. (14)Tobacco displays at the point of sale. ASH Briefing, Nov. 2010

Government submission

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questions scope

problem definition

No

explanations

Die jetzige Regelung ist völlig ausreichend.

which option

No change

questions smokeless

problem definition

No

comments

Kein Kommentar

which option

Lifting the ban on snus

**questions consumer
problem definition**

No

explanations

Kein Kommentar

which option

No change

**questions on reporting
problem definition**

No

explanations

Kein Kommentar

which option

No change

**regulation of ingredients
problem definition**

No

explanations

Kein Kommentar

which option

No Change

**access to tobacco products
problem definition**

No

explanations

Kein Kommentar

which option

No change

Government submission

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country

UK

questions scope**problem definition**

Yes

which option

Extend the scope of the Directive

additional comments

We recommend the following: + Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products.

questions smokeless**problem definition**

Yes

which option

No change

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain

packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK. . Medicines and Healthcare Regulatory Authority. Public consultation (MLX 364): The regulation of nicotine containing products (NCPs). June 2010

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Hammond D. et al Cigarette pack design and perceptions of risk among UK adults and youth *Eur J Public Health*. 2009 Dec;19(6):631-7. The lawfulness of requiring plain packaging for tobacco products. Opinion of Sir Richard Buxton. Nov 2008 Point of Sale Display of Tobacco Products. The Centre for Tobacco Control Research. University of Stirling, 2008. Tobacco displays at the point of sale. *ASH Briefing*, Nov. 2010

Government submission

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country

UK

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

We recommend the following: + Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products.

questions smokeless

problem definition

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support

the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered

products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK.

Government submission

identification**affiliation**

government

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country

Italy

questions scope**problem definition**

No

explanations

Fino a quando no vi saranno evidenze scientifiche circa la nocività siamo contrari ad estendere l'applicazione della direttiva al fine di includere altre categorie diverse dai prodotti del tabacco (come le sigarette elettroniche, sigarette alle erbe, bevande e dolci con nicotina).

which option

No change

questions smokeless**problem definition**

No

comments

A nostro parere è ingiustificato che la commercializzazione dei prodotti del tabacco senza combustione ("snus") sia consentita solo in Svezia e vietata in tutti gli altri paesi dell'UE. Tale divieto implica che a milioni di fumatori nell'UE è negata una alternativa alle sigarette e introduce una distorsione al principio fondamentale della libera circolazione delle merc

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Riteniamo che la consapevolezza dei rischi per la salute legati al prodotto non aumenta con l'uso di avvertenze sanitarie pictorials né con le dimensioni e il posizionamento delle avvertenze sanitarie specifiche sulla confezione. L'esperienza di alcuni Stati membri in cui questi particolari avvisi sono obbligatori (Belgio e Regno Unito), ha dimostrato che non vi è una interazione significativa tra introduzione di tali tipologie di avvertenze e la dissuasione del consumo di sigarette. Per questo motivo riteniamo che la possibilità di inserire avvertenze sanitarie pictorials dovrebbe rimanere una prerogativa degli Stati membri. In relazione alla

opzione 2b, riteniamo che la sostituzione delle informazioni sui livelli di TNCO (catrame, nicotina e monossido di carbonio) con le informazioni generali sulle sostanze nocive nei prodotti del tabacco attraverso anche appositi fogli da inserire nelle confezioni determinerebbe l'inserimento di troppe informazioni sul pacchetto che potrebbero indurre in errore i consumatori. Quindi, secondo noi, le informazioni relative ai contenuti, agli ingredienti e alle componenti dei prodotti da fumo possono essere comunicati con altre modalità. Inoltre, l'introduzione di norme per standardizzare il confezionamento per tutti i prodotti sul mercato (ad esempio il cosiddetto pacchetto generico o neutro o vincoli per l'uso del colore), come suggerisce l'opzione 3, potrebbe compromettere seriamente la sopravvivenza dell'industria legale in quanto sarebbe molto più facile per i criminali copiare i pacchetti e quindi determinerebbe l'aumento del commercio illecito.

which option

No change

questions on reporting

problem definition

No

explanations

Siamo del parere che sia necessario stabilire a livello europeo un formato di comunicazione comune ed obbligatorio per favorire la raccolta di dati e di confronto. Tuttavia, qualsiasi sistema dovrà garantire anche la protezione dei segreti commerciali dei produttori, anche al fine di non agevolare la contraffazione dei prodotti. Per quanto riguarda le tasse e le sanzioni, gli Stati membri possono già introdurre tasse di iscrizione e anche imporre sanzioni per l'inosservanza alla direttiva sulla segnalazione degli ingredienti. Riteniamo che tale argomento dovrebbe restare di dominio degli Stati membri, in quanto l'importo delle tariffe e delle sanzioni dovrebbe essere di loro competenza.

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Riteniamo che la regolamentazione degli ingredienti del tabacco dovrebbe restare competenza degli Stati membri, come già previsto dalla direttiva attuale. Anche i risultati del Rapporto SCENIHR (comitato scientifico rischi sanitari emergenti e recentemente identificati), che, a nome della Commissione europea, ha valutato il ruolo degli ingredienti, con riferimento alla loro dipendenza e attrattività non hanno dimostrato la potenziale dipendenza dei singoli ingredienti utilizzati nei prodotti del tabacco. Per quel che riguarda l'attrattività, si evidenzia che è un concetto arbitrario e soggettivo, senza base scientifica. Conseguentemente l'opzione 2 di introdurre criteri di base per limitare o vietare l'uso di taluni ingredienti nella produzione di prodotti del tabacco, così come l'opzione 3 di introdurre un elenco comune degli ingredienti consentiti o proibiti, ci sembrano misure ingiustificate. Un eventuale divieto di utilizzo degli ingredienti avrebbe drastiche ripercussioni economiche e sul lavoro per l'industria dei produttori di tabacco nel nostro Paese. Queste misure, infatti, non renderebbero più possibile la coltivazione della varietà di tabacco italiano utilizzato per la produzione di

sigarette di miscela americana. Nella produzione di tabacco italiano, che viene effettuata in importanti regioni come la Campania, l'Umbria ed il Veneto, sono impiegati più di 50.000 coltivatori.

which option

No Change

access to tobacco products

problem definition

No

explanations

Riteniamo che, per quanto riguarda i limiti per l'accesso ai prodotti del tabacco, è necessario che la direttiva contenga, relativamente ai distributori automatici, disposizioni che impongano sistemi per la verifica dell'età degli acquirenti e che così come già previsto in Italia la vendita sia limitata agli adulti. Siamo favorevoli al divieto di vendita via internet, già esistente nel mercato interno, poiché attraverso tale mezzo e soprattutto attraverso la consegna postale sono facilmente eludibili le norme finalizzate a non consentire l'accesso ai minori. Inoltre l'evidente difficoltà dei controlli potrebbe determinare la possibilità di comportamenti illeciti con rischio di vendita di prodotti contraffatti con grave pericolo per i consumatori. Siamo fortemente contrari alla possibilità di vietare l'esposizione dei prodotti nel punto vendita autorizzato e specializzato. Non vi è alcuna prova che il divieto di esposizione riduce l'incidenza di fumare o contribuisce a limitare l'accesso dei giovani ai prodotti del tabacco. Un tale divieto od una limitazione potrebbe compromettere il sistema legale di vendita a vantaggio del commercio illegale

which option

Controlled supply and access

which supply and access

Access to vending machines to be restricted to adults

Government submission

identification

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country

UK

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

We recommend the following: + Extend the scope of the Directive to include all smoked products including herbal cigarettes. + Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes). It is the combustion process and inhalation of smoke that causes most of the harm from smoking. Therefore it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. Therefore we recommend that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Novel nicotine based products (that is, products containing nicotine but not tobacco products) have the potential to offer a less hazardous alternative to cigarettes. Currently these include e-cigarettes and nicotine gel. However, as such products are generally marketed as alternatives to cigarettes and in some cases as an aid to quitting smoking, it is appropriate for them to be brought under the same regulatory framework as pharmaceutical products rather than under the scope of the tobacco products directive. The question of how nicotine containing products should be controlled is currently under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) following a recent public consultation on whether to extend its remit on the regulation of nicotine replacement therapies to other nicotine containing products. The outcome of this consultation may assist the Commission in developing its policy on these products.

questions smokeless**problem definition**

Yes

which option

No change

additional comments

With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

questions consumer**problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. The current situation with some Member States adopting picture warnings whilst others have not done so has created a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.² All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings. Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes. Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain

packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

additional comments

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional comments

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

access to tobacco products

problem definition

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK. . Medicines and Healthcare Regulatory Authority. Public consultation (MLX 364): The regulation of nicotine containing products (NCPs). June 2010

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ASH Briefing, Nov. 2010

Government submission

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affiliation

government

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country

Poland

questions scope

problem definition

Yes

which option

No change

questions smokeless

problem definition

Yes

which option

Lifting the ban on snus

questions consumer

problem definition

No

explanations

Przemysł papierosów może wpłynąć na ograniczenie uprawy tytoniu przez polskich plantatorów

which option

No change

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format

additional options

Reglamentacja stosowania dodatków w produkcji tytoniu nie powinna obejmować tych

additivi, che migliorano le caratteristiche (umidità, elasticità ecc.)

regulation of ingredients

problem definition

No

explanations

Introduzione della proposta di divieto di utilizzo di additivi nella produzione di sigarette può portare all'eliminazione della coltivazione di tabacco di varietà Burley. Le norme dovrebbero andare nella direzione di eliminazione degli additivi, che aumentano la tossicità e la dipendenza dalle sigarette.

which option

No Change

access to tobacco products

problem definition

No

which option

No change

Government submission

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Italy

gender

female

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

L'opzione 2 è ritenuta più efficace. Tale opzione permetterebbe una regolamentazione di tutti

i prodotti del tabacco nonché degli analoghi delle sigarette, non contenenti tabacco o nicotina (es. sigarette alle erbe e dispositivi elettronici con o senza nicotina) Tale opzione permetterebbe un'azione più efficace per la prevenzione dell'iniziazione al tabagismo.

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

additional comments

A nostro avviso l'opzione 3 - Divieto esteso a tutti i tipi di prodotti non da fumo affronta il problema nel modo più efficace perché, anche se in alcuni soggetti la sostituzione del fumo di tabacco con prodotti non da fumo potrebbe ridurre l'incidenza di alcune patologie indotte dal tabagismo (cosa non confermata dalle evidenze scientifiche attualmente disponibili), tutti i prodotti non da fumo sono nocivi; inoltre potrebbero costituire un "ponte" verso i prodotti da fumo, specialmente tra i giovani.

questions consumer

problem definition

Yes

which option

Improve consumer information

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Health warnings to be put on water pipes

additional option

Un'opzione quale la n.3 attualmente provoca un acceso dibattito tra i diversi portatori di interesse ed appare difficilmente praticabile. Si ritiene più facilmente percorribile una graduale regolamentazione, in ambito comunitario, dell'uso del confezionamento quale veicolo pubblicitario, limitando o proibendo l'utilizzo di immagini, scritte, disegni, illustrazioni (diverse dal "marchio") che favoriscono l'attrattiva dei prodotti; sarebbe auspicabile anche l'introduzione di norme che impediscano l'utilizzo di nomi commerciali ingannevoli e che violano il divieto di promozione dei prodotti del tabacco (ad esempio, prodotti/sigarette denominate "Yes smoke" e "Born to smoke", regolarmente commercializzate in Italia). Potrebbe essere previsto un sistema di valutazione di tali aspetti da parte della autorità nazionale competente, preliminare alla già prevista autorizzazione all'immissione in commercio.

additional comments

A nostro avviso l'opzione 2 affronta il problema nel modo più efficace. In particolare, le opzioni 2a, 2b e 2d, mentre l'opzione 2c non ci sembra di particolare efficacia (anche se si sta cercando di introdurla in un recente disegno di legge in Italia) e potrebbe produrre un effetto confusivo ed ingannevole sul consumatore, assimilando le sigarette e/o gli altri prodotti ad un farmaco.

questions on reporting**problem definition**

Yes

which option

Introduce fees and sanctions

additional options

La migliore soluzione sarebbe la combinazione delle opzioni 2 e 3, in modo che l'industria del tabacco utilizzi un comune formato obbligatorio per la comunicazione dei dati sugli ingredienti dei prodotti, tenendo conto che il modello di comunicazione volontaria elaborato dalla Commissione nel maggio 2007 è già utilizzato dalla maggior parte dei produttori.

additional comments

L'opzione che a nostro avviso affronta il problema in modo più efficace è l'opzione 3 che permetterebbe anche il finanziamento del registro e l'analisi dei contenuti dei diversi prodotti; si ritiene opportuno che gli Stati membri definiscano adeguate sanzioni nei confronti delle aziende inadempienti.

regulation of ingredients**problem definition**

Yes

which option

Introducing the basic criteria on the EU level without a common list

additional option

Per facilitare la fattibilità di misure volte a limitare o vietare l'uso di taluni ingredienti, si ritiene opportuna una chiara delimitazione del campo di applicazione di tale principio, ad esempio introducendo alcuni criteri: 1) criterio temporale: divieto all'uso di ingredienti "nuovi" o introdotti dopo una data fissata (ad esempio dopo l'approvazione della FCTC o della nuova Direttiva prodotto. 2) criterio "tecnico-scientifico": divieto o limitazione delle specifiche sostanze con documentata tossicità, attrattività e capacità assuefatti, in particolare sulle fasce giovanili o altri soggetti deboli.

additional comments

L'opzione che, a nostro avviso, affronta il problema in modo più efficace è la 2 perché fissa i criteri in base ai quali gli Stati membri dovrebbero attenersi per limitare o vietare l'uso di alcuni ingredienti nella fabbricazione dei prodotti del tabacco, criteri basati sulla tossicità, attrattività e capacità assuefatti del prodotto nel momento in cui venga consumato (tabacco per uso orale) o fumato (effetto della combustione/inalazione). Mentre l'opzione 3 vincolerebbe a liste (positive o negative) di ingredienti che andrebbero continuamente aggiornate e risulterebbero di difficile gestione.

access to tobacco products**problem definition**

Yes

which option

Controlled supply and access; Ban

which supply and access

Age verification of buyers and other legal conditions to be set for cross-border retail sale;
Tobacco display and promotion at points of sales to be restricted

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Promotion and displays in retail stores to be banned

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affiliation

government

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age

52

gender

male

questions scope

problem definition

No

explanations

This goes against the freedom of the individual

which option

No change

questions smokeless

problem definition

No

comments

This is a good way to reduce smoking i.e. prolonges life

which option

Lifting the ban on snus

questions consumer

problem definition

Yes

which option

No change

questions on reporting

problem definition

Yes

which option

No change

regulation of ingredients

problem definition

Yes

which option

No Change

access to tobacco products

problem definition

Yes

which option

No change

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female

questions scope
problem definition
Yes

which option
Extend the scope of the Directive

recommend option
No

additional comments
A. STCP recommends extending the scope of the Directive to cover all smoked products including herbal cigarettes. As it is the combustion process and inhalation of smoke that causes most of the harm from smoking it is appropriate that herbal cigarettes, which are used in a similar way to nicotine cigarettes, are regulated in the same way as smoked tobacco products, and should be included in the scope of the Directive. STCP also recommends that the scope of the Directive includes the regulation of any new smoked tobacco products (such as low emission or nicotine-free cigarettes). Do NOT extend the Directive to include electronic nicotine delivery systems (ENDS or E-cigarettes) if these become controlled by the UK's Medicines and Healthcare Regulatory Authority (MHRA) regulation of nicotine replacement therapies. STCP however recognise the difficulty e-cigarettes pose enforcement agencies upholding smokefree legislation.

questions smokeless
problem definition
Yes

which option
No change

additional option
No

additional comments
With regard to smokeless products that are not currently illegal, particularly those used by ethnic minority populations, we recommend that they are more tightly regulated but we do not support a total ban on such products. Whilst recognising that such products are harmful, the introduction of an EU-wide ban could create an illegal market that would be more difficult to control than the current situation. Furthermore a ban would make it more difficult to engage with users to offer help in quitting.

questions consumer
problem definition
Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

The minimum size of health warnings should be increased to 80% of the front and back surfaces of all tobacco packaging.

additional comments

Picture Warnings We strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging (i.e. not just cigarettes). The warnings should be placed on the upper portion of the packs for maximum visibility. As some Member States have adopted picture warnings whilst others have not there is a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. These obstacles should therefore be removed and pictorial health warnings should be mandatory to ensure optimum health protection for all EU citizens. There is good evidence to show that health warnings are effective in conveying the dangers of smoking and helping smokers to quit. They also help deter young people from starting to smoke. Picture warnings are more effective than written warnings.ⁱ All warnings should be displayed in rotation so that each message is given equal display to reach its target audience. There is widespread consumer support for pictorial health warnings. A Eurobarometer survey conducted in October 2009 showed that 78% of respondents supported health warnings.

Information on tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken beliefs that some cigarette brands are less harmful than others and that nicotine causes disease. The EU should not only remove this requirement from the Directive but should prohibit ISO or any other emissions numbers on the pack. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline telephone service should be included on the packaging.

Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging. This should include advice on quitting smoking.

Health warnings on water pipes There is a growing body of evidence to show that water pipes are at least as hazardous, if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured shisha is not in fact tobacco. It is important that these myths are countered by requiring the inclusion of a health warning on all water pipes. Warnings should also be included on the packaging of tobacco used in water pipes.

Generic or plain packaging We strongly recommend the introduction of plain or generic packaging. This should include not only the removal of all branding from the packaging but the size and shape of the packaging should also be standardised. Not only would this prevent the promotion of smoking through branding as occurs presently but it would reinforce the health warning messages. The Australian federal government has recently announced its intention to introduce plain packaging in 2012, setting a standard that the EU should follow. Tobacco packaging provides a direct link between

consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis for Action on Smoking and Health concludes that this is incorrect and there are no legal impediments to the implementation of generic packaging in the EU.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional options

The current situation which allows different formats and reporting mechanisms is unsatisfactory, making it difficult for authorities to compare and analyse the data. Tobacco companies should be required to use a standardised reporting format. Additionally the companies should be required to pay a yearly registration fee to cover the costs of administering this data collection. The above measures should be compliant with Articles 9 & 10 of the Framework Convention on Tobacco Control (FCTC).

additional comments

No

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients

additional option

We support the adoption of a positive common list of tobacco ingredients. Tobacco products are highly toxic and addictive; their contents should therefore be regulated in order to achieve high standards of health protection. A positive common list would ensure that only registered products, with ingredients, flavourings and additives that appear on the positive list would be permitted on the EU market. Currently, EU citizens are not subject to the same level of health protection and a common list of permitted ingredients would go some way towards addressing this anomaly. The tobacco industry uses a range of additives to alter the composition of tobacco products. These can make the product more palatable to children or increase the addictiveness of the product. Therefore any flavourings that may be used to enhance the addictiveness or attractiveness of tobacco products should be banned. The revised Product Directive should be fully compliant with the guidelines on Articles 9 & 10 adopted at the fourth Conference of the Parties of the FCTC on 20th November 2010.

additional comments

No

**access to tobacco products
problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

The EU Directive should follow the lead set by Finland which, as part of its recently passed Tobacco Act, has set limits on the amount of tobacco that can be imported into Finland where the labelling differs from that of tobacco products sold in Finland. We recommend that similar limits should be set at EU level, that is, that for each Member State the amount of tobacco that may be imported for personal use which does not conform to domestic labelling requirements, should be limited to a maximum of 200 cigarettes, 50 cigars, 100 cigarillos and 250 grams of pipe or cigarette tobacco.

additional comments

Internet. The principle of preventing cross-border promotion of tobacco products in order to protect public health was enshrined in the Tobacco Advertising directive (2001/0119). It is logical, therefore, to extend that principle to the sale of tobacco products between member states via the Internet. We support the prohibition of tobacco sales via the Internet. Vending machines. The majority of member states (22 out of 27) already prohibit the sale of tobacco products from vending machines in order to deter young people accessing cigarettes from this source. We support this measure. Point of Sale. We support an EU-wide adoption of a ban on the display of tobacco products at the point of sale. Across the EU, most forms of tobacco advertising are now prohibited but the tobacco industry continues to market its products by the use of attractive packaging. Research shows that point of sale displays of tobacco have a direct impact on young people's intention to smoke. Furthermore, there is a growing body of evidence to show that putting tobacco products out of sight in retail outlets can reduce youth smoking. To date, this measure has been adopted by Ireland and Finland (as well as Iceland and Norway) and is going through the parliamentary process in the UK.

Government submission

identification

affiliation

government

name

The North East Trading Standards Association, NETSA, is a partnership of the following Local Authority Trading Standards Services: Darlington, Durham, Gateshead, Hartlepool, Middlesbrough, Newcastle-upon-Tyne, North Tyneside, Northumberland, Redcar and

Cleveland, South Tyneside, Stockton on Tees and Sunderland, NGO

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country

UK

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

recommend option

The scope of the Directive should be extended: - to include all smoked products including herbal cigarettes and maintain the ban on any novel forms of oral tobacco products including snus. Snus have no legitimate market in the UK relaxing the existing ban could have the effect of creating a new market in this product, however we do not feel that the directive should be extended to cover 'novel nicotine based products' as they have the potential to offer a less hazardous alternative to cigarettes and in some cases as an aid to quitting smoking. As enforcers we feel they should be brought under the same regulatory framework as pharmaceutical products to ensure their safety and effectiveness. The question of how nicotine containing products should be controlled is under consideration by the UK's Medicines and Healthcare Regulatory Authority (MHRA) In our view there is currently an overlapping set of regulations that could apply to these products, such as Directive EC 1907:2006 Regulation, Evaluation, Authorisation and Restriction of Chemicals (REACH), Chemical Hazard Information and Packing Regulations 2009:716 (CHIPS) and the provisions of the General Product Safety Directive 2001/95/EC, the proposal would be a simplification of existing controls and ensure industry and regulators have a clear legal framework in which these products can be marketed.

additional comments

The Trading Standards Service in England is responsible for enforcing tobacco control legislation in relation to:- Labelling and pictorial warnings Point of sale displays Age restricted sales The illicit trade In relation to the proposed new Tobacco Control Directive NETSA supports a modernisation of the current Directive and feels that the changes outlined could have an important impact on tackling the health problems caused by use of tobacco products.

questions smokeless

problem definition

Yes

which option

Ban on all types of smokeless tobacco products

additional option

The ban on snus should remain for the reasons outlined there is no legitimate reason to justify

bringing a new hazardous product onto the market, which already is popular in one member state. If the ban on snus were to be lifted, it could encourage dual use of cigarettes and smokeless tobacco and discourage total abstinence from tobacco, thus weakening any potential health gains. The UK market for niche tobacco products is small but does have potential to expand; we are particularly concerned about the growth of 'shisha bars' with the associated dangers of exposure to second hand smoke, if smokefree legislation is not fully enforced and the myth that water pipes are a safer form of smoking. We recommend that these products are more effectively regulated using existing regulations

**questions consumer
problem definition**

Yes

which option

Improve consumer information; Introduce generic or plain packaging

which improvement

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package; Health warnings to be put on water pipes

additional option

Consumer information on packs needs to be improved, made clearer and more relevant; the introduction of plain packaging would assist in this aim. We would support the following improvements:- Picture warnings to become mandatory across member states Tar, nicotine and carbon monoxide levels to be replaced with more relevant general information on harmful substances in tobacco products Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package Health warnings to be put on water pipes and associated tobacco displays Picture Warnings we strongly recommend that picture warnings should be mandatory and that they should occupy a minimum of 80% of the front and back surfaces of all tobacco packaging. This should be mandatory across Member States to avoid creating a discrepancy and uneven health protection across the EU. From an internal market perspective, the differences in rules are contrary to the operation of the single market and may constitute a barrier to trade. Picture warnings are seen as particularly important in deterring young people from starting to smoke. Information on Tar, nicotine & carbon monoxide (TNCO) Currently the Directive requires the inclusion of machine-based tar, nicotine and carbon monoxide yields on cigarette packs. This promotes the mistaken belief that some cigarette brands are less harmful than others and few consumers understand the relevance of the current labelling or how the test method used bears little relationship to actual smoking practise. We support the proposal to replace numerical measurements with descriptive information on the hazardous effects of tobacco constituents and emissions. The addition of a quitline or smoking cessation telephone service should be included on the packaging. Additional information on harmful substances in tobacco products We support the proposal to include additional information on the health effects of tobacco consumption on inserts inside the packaging as well as advice on quitting smoking. Health warnings on water pipes There is a growing body of evidence to show that the use of water pipes is as at least as hazardous as other tobacco delivery methods , if not more so, than other forms of tobacco use. However, there is a common perception that tobacco smoke is 'cleansed' by the water and therefore not as dangerous and some users believe flavoured

shisha is not in fact tobacco. It is important that these myths are countered by the inclusion of a health warning on water pipes. Warnings should also be included on the packaging of tobacco used in water pipes.

additional comments

Plain packaging We strongly recommend the introduction of plain or generic packaging, when display legislation is introduced in the UK the pack will be the last opportunity to ‘advertise’ or glamorise tobacco products particularly to young people. Tobacco packaging provides a direct link between consumers and manufacturers and is the main marketing channel, particularly in jurisdictions with tobacco advertising bans. Branding gives the misleading impression some cigarettes are safer than others. The tobacco industry claims that plain packaging would contravene intellectual property law. However, legal analysis concludes that this is incorrect and there are no international legal impediments to the implementation of generic packaging.

questions on reporting

problem definition

Yes

which option

Establish a common compulsory reporting format; Introduce fees and sanctions

additional options

Reporting ingredients There should be a requirement to establish a common compulsory reporting format, supported by a fees and sanctions regime Ingredients in addition to tobacco are increasingly used to enhance the flavour of cigarettes and increase delivery of nicotine, analysis is beyond the budget of most market surveillance authorities, other industries already pay to have their products tested, i.e. under the CE marking regime.

additional comments

Regulation of ingredients A common list of ingredients should be established across the EU, including maximum permitted levels of some chemical elements, a list of permitted ingredients as well as a total ban of others.

regulation of ingredients

problem definition

Yes

which option

Establish a common list of tobacco ingredients

which one

Establish a positive common list of tobacco ingredients; Establish a negative common list of tobacco ingredients

additional option

Regulation of ingredients A common list of ingredients should be established across the EU, including maximum permitted levels of some chemical elements, a list of permitted ingredients as well as a total ban of others.

access to tobacco products**problem definition**

Yes

which option

Ban

which one2

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned; Promotion and displays in retail stores to be banned

additional option

Supply of and access to tobacco products should be restricted as much as possible, young people disproportionately use vending machines, the UK ban on this type of supply is soon to come into force and this should be extended across the EU. Although a vending machine ban would have little cross border effect it would provide a common level of protection across the EU as would a point of sale display ban. Banning internet sales would restrict availability of tobacco products, the UK currently has an active market in tobacco products supplied in the post, this requires enforcement authorities to commit considerable resources to tackle the problem, and an internet sales ban would assist in controlling this illicit trade.

Government submission**identification****affiliation**

government

name

Burmistrz Miasta Augustowa Burmistrz Augustowa 30 tys miasta położonego w poln-wsch części Polski. Miasta które ma status Miasta uzdrowiskowego i letniej stolicy Polski. Miasta położone nad kilkoma jeziorami , rzekami Kanalem Augustowskim oraz Puszcza Augustowska . To tutaj ma swa siedzibę fabryka BAT Polska S.A. Firma zatrudnia ok. 800 pracowników ale uwzględniając firmy współpracujące to daje dodatkowe kilkaset miejsc pracy . Współpraca z BAT jest znakomite szczególnie na polu rozwoju Miasta oraz działań związanych z odpowiedzialnością społeczną . To dzięki BAT wspólnie czyścimy Kanał Augustowski . To dzięki nim funkcjonuje Akademia Augustowska dająca szanse pracy osobom bezrobotnym . To w końcu jest to największy zakład w mieście płacący podatki i utrzymujący miasto

email

kazimierz.kozuchowski@urząd.augustow.pl

country

Polska

questions scope**problem definition**

No

explanations

Jako Burmistrz Augustowa uważam iż z problem jest zdefiniowany niewłaściwie i niejasno. Są tu pomieszane zagadnienia wyrobów tytoniowych i wyrobów nietytoniowych zawierających nikotynę, co dowodzi braku rozumienia sektora tytoniowego. Definicja problemu nie przedstawia naukowych i sprawdzonych podstaw dla różnych opcji rozważanych w tej ankiecie. Regulacje każdej z kategorii powinny się opierać na obiektywnych i specyficznych dla danej kategorii produktu przesłankach czego niestety nie ma w definicji problemu

which option

No change

questions smokeless**problem definition**

No

comments

Moim zdaniem SNUS jest jednym z dostępnych na niektórych rynkach europejskich legalnym produktem który może stanowić alternatywę dla tradycyjnych papierosów. Zakaz produkcji i sprzedaży snusa w Unii Europejskiej powinien być zniesiony

which option

Lifting the ban on snus

questions consumer**problem definition**

No

explanations

Jako Burmistrz Augustowa uważam iż część propozycji jak np. plain packaging oraz zwiększone napisy zdrowotno ostrzegawcze, które w praktyce uniemożliwiają umieszczenie znaków towarowych producentów – narusza obowiązujące w Polsce przepisy prawa dot. ochrony własności przemysłowej oraz konstytucyjną zasadę wolności działalności gospodarczej. Stąd to będzie również w sprzeczności z międzynarodowymi konwencjami z zakresu ochrony własności intelektualnej, których stroną jest Polska

which option

No change

questions on reporting**problem definition**

No

explanations

Uważam że wskazane jest ujednoczenie sposobu i zakresu raportowania tzw składników do wyrobów tytoniowych. Sankcje za niewłaściwe raportowanie powinny jednak pozostać w gestii państw członkowskich Unii Europejskiej

which option

Establish a common compulsory reporting format

regulation of ingredients

problem definition

No

explanations

Jako Burmistrz uważam iż regulacje składu wyrobów tytoniowych (składników używanych w produkcji) powinny być oparte tylko i wyłącznie na obiektywnych i potwierdzonych naukowo przesłankach . Powoływanie się na bliżej niezdefiniowane pojęcie „atrakcyjności „, może spowodować iż zostaną wyeliminowane składniki niezbędne do procesu produkcyjnego, co nie będzie miało wpływu na efekt zdrowotny . Ale negatywna konsekwencją będzie wyeliminowanie prawie połowy upraw tytoniu w Polsce a co za tym idzie 7 tys rodzin plantatorskich straci jedyne źródło utrzymania. Szczególnie uderzy to planatorów z rejonu Augustowa , którzy stracą jedyne źródło dochodu. Cieszyć się będą przemysłowcy . Straci budżet państwa , legalni producenci , dostawcy , kooperanci i i Augustów jako Miasto.

which option

No Change

access to tobacco products

problem definition

No

explanations

Moim zdaniem możliwość pokazywania produktów jest bardzo ważna dla normalnego działania gospodarki rynkowej. Pozwala konsumentowi przede wszystkim dokonywać świadomego wyboru. Wprowadzenie zakazu ekspozycji narusza wolność działalności gospodarczej oraz prawo konsumenta do informacji o produkcie. Propozycja miałaby również negatywny wpływ na zapewnienie równych warunków konkurencyjności na rynku dla 120 tys podmiotów zajmujących się sprzedażą detaliczną wyrobów tytoniowych.

which option

No change

Government submission

identification

affiliation

government

name

Miasto Leżajsk ul. Rynek 1 37-300 Leżajsk woj. Podkarpackie

email

promocja@lezajsk.em.gov.pl

country

Polska

age

45

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

questions consumer**problem definition**

Yes

which option

No change

questions on reporting**problem definition**

Yes

which option

Establish a common compulsory reporting format

regulation of ingredients**problem definition**

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy (ułatwienie podrabiania prostych opakowań) i przynieść negatywne konsekwencje gospodarcze i społeczne plantatorom tytoniu oraz przedsiębiorcom legalnie handlującym wyrobami tytoniowymi.

which option

No Change

access to tobacco products**problem definition**

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy (ułatwienie podrabiania prostych opakowań) i przynieść negatywne konsekwencje gospodarcze i społeczne plantatorom tytoniu oraz przedsiębiorcom legalnie handlującym wyrobami tytoniowymi.

which option

No change

Government submission**identification****affiliation**

government

name

Miasto Lezajsk ul. Rynek 1 37-300 Lezajsk woj. Podkarpackie

email

promocja@lezajsk.em.gov.pl

country

Polska

age

45

gender

male

questions scope**problem definition**

Yes

which option

No change

questions smokeless**problem definition**

Yes

which option

Lifting the ban on snus

**questions consumer
problem definition**

Yes

which option

No change

**questions on reporting
problem definition**

Yes

which option

Establish a common compulsory reporting format

**regulation of ingredients
problem definition**

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy (ułatwienie podrabiania prostych opakowań) i przynieść negatywne konsekwencje gospodarcze i społeczne plantatorom tytoniu oraz przedsiębiorcom legalnie handlującym wyrobami tytoniowymi.

which option

No Change

**access to tobacco products
problem definition**

No

explanations

Propozycja ujednoczenia paczek wszystkich papierosów może doprowadzić do wzrostu szarej strefy (ułatwienie podrabiania prostych opakowań) i przynieść negatywne konsekwencje gospodarcze i społeczne plantatorom tytoniu oraz przedsiębiorcom legalnie handlującym wyrobami tytoniowymi.

which option

No change

Government submission

identification

affiliation

government

name

Ministry of Finance General Chemical State Laboratory Department of Serres, Laboratory of

Tobacco and Tobacco Products. Konstantinos Kydros

email

Greece

country

46

age

male

gender

Yes

explanations

Extend the scope of the Directive

Government submission

identification

affiliation

government

name

Institut für Gesundheitsförderung und Prävention der Versicherungsanstalt für Eisenbahnen und Bergbau

email

Austria

country

42

age

female

gender

Yes

explanations

Extend the scope of the Directive

Government submission

identification

affiliation

government

name

Petros Efthymiou

email

Greece

country

60

age

male

gender

Yes

explanations

No change

Government submission**identification****affiliation**

government

name

Menelaos Hatziapostolidis

email

Greece

country

47

age

male

gender

Yes

explanations

No change

recommend option

Δεν θεωρούμε ότι πρέπει να επεκταθεί το εύρος της Οδηγίας

Government submission

identification**affiliation**

government

name

GENEROSO RODRIGUEZ SANCHEZ

email

ESPAÑA

country

50

age

male

gender

No

questions scope**problem definition**

LOS PROBLEMAS LOS CREAMOS NOSOTROS POR NO SER CAPACES DE AYUDAR A QUE LAS PERSONA CONVIVAN FUMADORES Y NO FUMADORES.

explanations

No change

which option

.

Government submission**identification****affiliation**

government

name

INFARMED - National Institute of Medicinal and Health Products, Portugal

email

Portugal

gender

Yes

explanations

No change

which option

We believe that Option 2, i.e., to extend the scope of the Directive to encompass electronic nicotine delivery systems, should be ruled out since in our opinion these products are covered by pharmaceutical legislation. We acknowledge, however, that Option 1 ("no change") does not solve the problem entirely since discrepancies in classification of these products between Member States will subsist. In our opinion, the problem should be dealt with in the framework of pharmaceutical legislation. Products containing nicotine should be assessed and regulated as medicinal products. On the one hand because their indications are generally the relief of smoke withdrawal symptoms and smoking cessation therapy. On the other hand because of the effective presence of an active substance (nicotine) with the ability to modify physiological functions. Electronic nicotine delivery systems thus have characteristics that enable Competent Authorities to classify them as medicinal products either by claim or by function.

recommend option

We would like to specify that our comments address solely electronic nicotine delivery systems, which may be of two different types: • electronic cigarettes containing nicotine with indications for inclusion in a smoking cessation therapy – in our opinion to be classified as medicinal products; • kit composed of electronic cigarette and capsule/cartridge containing nicotine with indications for inclusion in a smoking cessation therapy – from our point of view, the reusable e-cigarette is a medical device and the nicotine container a medicinal product.

Government submission**identification****affiliation**

government

name

Kommerskollegium (National Board of Trade)

email

Sverige

additional comments

Yes

comments

Lifting the ban on snus

which option

Enligt kollegiet är EU:s beslut om att tillåta eller förbjuda saluföring av snus i första hand en politisk fråga. Som visas nedan medger EU-rätten ett stort utrymme för EU-lagstiftaren i denna fråga och EUF-fördragets regler bör enligt kollegiet inte sätta några särskilda hinder för att snus skulle kunna tillåtas på den inre marknaden (avsnitt 1). Det beslut som resulterar av revideringen av direktiv 2001/37/EG (tobaksdirektivet) bör enligt kollegiet beakta

marknadens utveckling och nya vetenskapliga rön om snusets hälsofarlighet (avsnitt 2). Enligt Kommerskollegium väcker snusförbudet inom EU två frågor: 1. Vilket utrymme medger EU-rätten? Detta är en juridisk fråga som avser det utrymme som EU-rätten ger EU:s lagstiftare för att förbjuda eller tillåta snus på den inre marknaden. 2. Vad bör EU besluta om i förhållande till snus? Detta är en lämplighetsfråga av mer politisk karaktär som handlar om den avvägning som EU:s lagstiftare gör mellan olika intressen – fri rörlighet och hälsoaspekter – inom ramen för det utrymme som EU-rätten medger.

additional option

1. EU:s juridiska utrymme Saluföring av snus är förbjudet inom EU enligt artikel 8 i tobaksdirektivet. År 2004 blev snusförbudets förenlighet med EUF-fördraget föremål för EU-domstolens prövning. Den fråga som ställdes till domstolen var om EU:s lagstiftare genom att förbjuda saluföring av snus gick utöver det utrymme som EU-rätten medger. Domstolen bedömde då att förbudet var förenligt med EUF-fördraget och mer specifikt med de EU-rättsliga principerna om likabehandling och proportionalitet. Avseende likabehandlingsprincipen så menade domstolen att snuset inte kunde jämföras med andra tobaksprodukter då snuset, då förbudet antogs, ännu inte fanns på EU-marknaden. Eftersom snuset således befann sig i en annan situation än den som andra tobaksprodukter befann sig i så hade inte olika regler tillämpats på samma situationer. Således gjorde domstolen bedömningen att snusförbudet inte var diskriminerande. Avseende proportionalitetsprincipen så konstaterade domstolen att unionslagstiftaren har ett stort utrymme för att göra en bedömning inom områden såsom tobaksområdet. Den menade också att ingen mindre långtgående åtgärd kunde uppnå samma skydds nivå som ett förbud. Sammantaget bedömde domstolen att snusförbudet var proportionerligt. Kollegiet noterar i detta hänseende att förutsättningarna för att motivera snusförbudet ändrats något sedan 2004. För det första har det gjorts ett antal vetenskapliga studier rörande snusets skadeverkningar. Att snuset är mindre farligt än andra tobaksformer tycks det numer i princip råda vetenskaplig konsensus om. Detta var enligt EU-domstolen inte fallet när direktiv 2001/37/EG antogs. För det andra har, som kollegiet förstår det, snustillverkningen också utvecklats på senare år så att hälsofarorna begränsats i vissa produkter. Vi kan emellertid inte bedöma huruvida denna utveckling är tillräcklig för att ändra domstolens bedömning. Kollegiet anser å andra sidan att EU-domstolens avgörande inte utesluter att snus skulle kunna tillåtas på den inre marknaden. Domen visar tvärtom att EU:s lagstiftare har ett stort utrymme för sin bedömning inom tobaksområdet. Enligt kollegiet finns det med hänsyn till detta utrymme argument som talar för att ett beslut om att tillåta saluföring av snus på den inre marknaden – exempelvis i samband med revidering av direktivet – skulle anses förenligt med de EU-rättsliga principerna om likabehandling och proportionalitet. Ett sådant beslut kan motiveras med hänsyn till de nya studier som nämnts ovan, produktens utveckling samt att snus utgör ett mindre farligt alternativ till röktaobak. Vi noterar att sistnämnda argumentet inte beaktades av EU:s lagstiftare när direktivet antogs 2001. EU-rätten sätter dock i princip inga hinder för att EU:s politiska instanser ändrar sina beslut och motiverar dessa med hänsyn till nya, till och med motsatta objektiva grunder. 2. Revidering av tobaksdirektivet Kollegiet är som princip för en fri varurörlighet inom EU. Frihandelsintresset måste dock vägas mot hälsointresset. Kollegiet konstaterar att ett rent produktförbud (förslag 1 och 3) är den mest långtgående typen av handelshinder. Att slopa snusförbudet och exempelvis införa ett märkningskrav (förslag 2) skulle vara en mindre handelsrestriktiv åtgärd. Enligt kollegiet bör direktivet beakta dels utvecklingen av produkten, dels nya vetenskapliga rön. Om utvecklingen medger det så bör enligt kollegiet snusförbudet i artikel 8 begränsas till de typer av snus som de facto utgör en allvarlig hälsorisk. Kollegiet föreslår också att snusförbudet, för de produkter förbudet därefter kvarstår, utformas på ett mer flexibelt sätt. Detta kan göras genom att det i direktivet

införs en klausul som, i likhet med artikel 9 i det nuvarande direktivet, fastslår att omfattningen av artikel 8 regelbundet ska utvärderas och anpassas till produktens och vetenskapens utveckling.

Government submission

identification

affiliation

government

name

Simon Emil Ammitzbøll

email

Denmark

additional comments

Yes

comments

Lifting the ban on snus

which option

As acknowledged by scientists and reflected in the problem definition snus is probably less harmful than smoking tobacco. Since society allows smoking tobacco as a reasonable freedom to choose own lifestyle, it does not make sense to uphold a ban on snus. Especially since snus cannot possibly have any effect similar to what may be caused by second hand smoking. Furthermore this arbitrary ban is biased in favor of parts of the tobacco industries thus hurting the market function. Today snus is bought in Sweden by many Danes. Thus hurting local retailers and creating unnecessary obstacles for consumers wanting to use snus. This is against the fundamental principles of EU's internal market.

Government submission

identification

affiliation

government

name

Menelaos Hatziapostolidis

email

Greece

country

47

age
male

additional comments
Yes

comments
Lifting the ban on snus

Government submission

identification
affiliation
government

name
Stoltz, Sarah

email
Karlsruhe

country
21

age
female

additional comments
No

questions smokeless
problem definition

Eine Problemdarstellung enthält lediglich vage Einschätzungen im Hinblick auf eine mögliche Binnenmarktverzerrung oder ein mögliches Versagen bei der Sicherstellung eines hohen Gesundheitsschutzniveaus aufgrund fehlender einheitlicher Produkten in den Mitgliedsstaaten. Zudem vermeidet die Kommission jede Form der Wertung in Bezug auf das Subsidiaritäts- & Verhältnismäßigkeitprinzip.

comments
No change

Government submission

identification
affiliation
government

name
Andra

email
Latvia

country
25

age
female

additional comments
Yes

comments
No change

Government submission

identification
affiliation
government

name
Charlotte Holtlund

email
Finland

country
46

age
female

additional comments
Yes

comments
Ban on all types of smokeless tobacco products

which option
Yes

additional option
No

Government submission

identification

affiliation

government

name

Johan Strömberg

email

Finland

country

39

age

male

additional comments

Yes

comments

Lifting the ban on snus

which option

Release snuff freely. Otherwise, the fact remains that smuggling is a good source of income. Free snuff = right to choose.

additional option

This is discrimination against our freedom. If tobacco can be sold as snuff will also be on the market. In some EU countries you can buy drugs legally, but in Finland we can not even determine whether we use snuff or not. No need to buy snuff just because it can be available in stores.

Government submission

identification

affiliation

government

name

b

email

b

country

2

age
female

additional comments
Yes

comments
Lifting the ban on snus

Government submission

identification
affiliation
government

name
Richard Hardeling

email
finland

country
39

age
male

additional comments
Yes

comments
Lifting the ban on snus

Government submission

identification
affiliation
government

name
reis & carlos coelho,lda.

email
portugal

additional comments

No

**questions consumer
problem definition**

-there is no evidence to confirm that generic packaging reduces the consumption of tobacco products, nor that it has a positive effect on consumers' health. -The smoker has the right to be able to easily differentiate the brand of a product they prefer to consume, and has the right to obtain information on the packaging on the product that he or she chooses to consume. -With a generic package, consumers have much more difficulty in identify and reject counterfeit tobacco products -Generic package makes the processing of counterfeit and fake products much more easy. one can predict negative consequences for human health, inherent lack of hygienic and sanitary control of production processes of counterfeit tobacco products, with likely unmeasurable increase of harmfulness to human health at the time of its consumption.

explanations

No change

Government submission**identification****affiliation**

government

name

Ministry of Finance General Chemical State Laboratory Department of Serres, Laboratory of Tobacco and Tobacco Products Konstantinos Kydros

email

Greece

country

46

age

male

additional comments

Yes

explanations

Improve consumer information

which option

Picture warnings to become mandatory; Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products; Information on harmful substances in tobacco products that cannot be placed on the package would be placed inside the package

additional option

-Οι περιεκτικότητες πίσσας, νικοτίνης και μονοξειδίου του άνθρακα είναι προτιμότερο να μην αναγράφονται στις συσκευασίες. 1) Είναι όμως απαραίτητο να διατηρηθούν οι νομικά ανώτατες επιτρεπτές περιεκτικότητες των παραμέτρων αυτών και να ελέγχονται με μεγαλύτερη επιμέλεια και αυστηρότητα. Οι Ελεγκτικές Υπηρεσίες των Κρατών Μελών που ασκούν το έργο του ελέγχου πρέπει να διαθέτουν αποκλειστικά δημόσια χρηματοδότηση. 2) Πρέπει όλες οι καπνοβιομηχανίες να δηλώνουν για κάθε εμπορικό σήμα τα παραπάνω στοιχεία στις Ελεγκτικές Υπηρεσίες και να τα δηλώνουν επί πλέον σε δημόσια προσβάσιμο από κάθε ενδιαφερόμενο πολίτη ηλεκτρονικό αρχείο. -Τα καπνικά προϊόντα και όχι σχετικές συσκευές πρέπει να διαθέτουν επισημάνσεις. Σε διαφορετική περίπτωση θα προκληθεί κομφούζιο.

Government submission**identification****affiliation**

government

name

ΜΠΑΛΗ ΙΩΑΝΝΑ ΔΗΜΟΣΙΟΓΡΑΦΟΣ , Mpali Ioanna, Journalist

email

ΕΛΛΑΔΑ

additional comments

No

questions consumer**problem definition**

ΚΑΝΕΝΑ ΣΧΟΛΙΟ

explanations

No change

Government submission**identification****affiliation**

government

name

ΚΑΡΑΜΙΧΑΣ ΤΖΑΝΕΤΟΣ ΠΡΟΕΔΡΟΣ ΠΑΣΕΓΕΣ , Karamihas Tzanetos, president of PASEGAS

email

ΕΛΛΑΔΑ

additional comments

No

**questions consumer
problem definition**

KANENA ΣΧΟΛΙΟ

explanations

No change

Government submission**identification****affiliation**

government

name

Ministry of the Finance of the Slovak Republic

email

Slovakia

additional comments

No

**questions consumer
problem definition**

V rámci jedného z riešení sa zvažuje povinné zavedenie obrazových varovaní na spotrebiteľských baleniach cigariet, pričom takéto varovania by mali byť zväčšené, vyžadované na oboch stranách a umiestnené na vrchu spotrebiteľského balenia cigariet. V zmysle súčasnej právnej úpravy označovania spotrebiteľského balenia cigariet kontrolnou známkou na daňové účely sa kontrolná známka vyhotovuje v rozmeroch 20 mm × 44 mm a je rozdelená na hlavné pole a voľné polia. Kontrolná známka sa nalepí na spotrebiteľské balenia cigariet na časti určenej na otvorenie tak, aby sa cigarety nemohli dať vybrať bez viditeľného poškodenia kontrolnej známky alebo spotrebiteľského balenia cigariet, a aby aspoň jedna časť kontrolnej známky, kde je uvedené registračné odberné číslo a cena cigariet, ostala nepoškodená. Z uvedeného vyvstáva obava z možnosti čiastočného prekrytia plánovaných obrazových varovaní na spotrebiteľskom balení cigariet štátnymi technickými opatreniami na označenie tovaru na daňové účely. Ministerstvo financií Slovenskej republiky má rovnako obavy z implementácie opatrenia týkajúceho sa zavádzania generických balení, jednak z dôvodu možného porušenia práv duševného vlastníctva, ale najmä týmto opatrením uľahčeného falšovania spotrebiteľských balení cigariet a následného nárastu pašovania cigariet spojených so vznikom obrovských daňových a colných únikov.

explanations

No change

Government submission

identification

affiliation

government

name

ΜΑΤΣΙΚΑΣ ΗΛΙΑΣ ΠΡΟΕΔΡΟΣ ΚΑΙ ΓΕΝΙΚΟΣ ΔΙΕΥΘΥΝΤΗΣ ΑΠΕ , Matsikas Ilias,
President and General Director APE

email

ΕΛΛΑΔΑ

additional comments

No

questions consumer

problem definition

KANENA ΣΧΟΛΙΟ

explanations

No change

Government submission

identification

affiliation

government

name

Christos Smyrlis Liakatas - Sumvoulos Ypourgou Georgias

email

Greece

country

58

age

male

additional comments

No

questions consumer

problem definition

Kanena Sxolio

explanations

No change

Government submission**identification****affiliation**

government

name

ΑΘΑΝΑΣΙΑΔΗΣ ΑΛΕΞΑΝΔΡΟΣ ΒΟΥΛΕΥΤΗΣ ΠΑΣΟΚ, Athanasiadis Alexandros, MP
PASOK

email

ΕΛΛΑΔΑ

additional comments

No

questions consumer**problem definition**

KANENA ΣΧΟΛΙΟ

explanations

No change

Government submission**identification****affiliation**

government

name

Athanasios Oikonomou (mp)

email

greece

additional comments

No

questions consumer**problem definition**

no comments

explanations

No change

Government submission**identification****affiliation**

government

name

Athanasios Oikonomou (mp)

email

Greece

additional comments

No

questions consumer**problem definition**

no comments

explanations

No change

Government submission**identification****affiliation**

government

name

Ministry of Economic Affairs and Communications

email

Estonia

additional comments

No

questions consumer**problem definition**

Majandus- ja Kommunikatsiooniministeeriumi hinnangul oleks tubakatoodete standardiseeritud pakendi kasutamise kohustuse rakendamine ebaproportsionaalne vaba kaubanduse ja konkurentsi riive, mis muudab selle küsimuse pigem tööstusomandi kui tervishoiu küsimuseks. Tubakatoodete standardiseeritud pakendi põhimõtte rakendamine puudutab kaubamärgiõigust, mis on tänapäevases globaalses majanduses oluliseks õiguseks ja

vahendiks tagamaks vabakaubanduse toimimist ja konkurentsi. Kaubamärgid edendavad kaubandust, majanduslikku efektiivsust ja on oluliseks vahendiks konkurentsi toimimisel. See oleks pretsedenditu samm tööstusomandi õiguste piiramisel. Kaubamärgi kasutamise eesmärgiks on eristada ühe isiku kaupa või teenust teise isiku samaliigilisest kaubast või teenusest. Pakutud lahenduse rakendamisel jääks see põhieesmärk täitmata, kuna kaubamärk ise ei kutsu kedagi tubakatooteid tarbima. Lisaks eelnevale tooks antud muudatus kaasa olukorra, kus kõik kombineeritud, kujunduslikud tubakatoodete kaubamärgid võidaks tühistada nende mittekasutamise tõttu, mis võib kahjustada paljude kaubamärgiomanike huve ja õigusi. Kaubamärgiks ei ole mitte üksnes sõnaline osa või logo, vaid selleks võivad olla ka värvid, pakendi enda kuju ja kujundus. Seega isegi juhul, kui n.ö standardiseeritud pakendi põhimõtte kohaselt oleks võimalik kasutada tubakatoodete pakendil sõnalisi kaubamärke, piiraks see siiski muude kaubamärkide kasutamist tubakatoodete pakenditel, mida ettevõtjad kasutavad oma toodangu eristamisel konkureerivatest toodetest ja mille alusel samuti tarbijad on harjunud erinevaid tooteid üksteisest eristama. Erinevate rahvusvaheliste kokkulepete (näiteks TRIPS lepingu artiklid 15(4), 20 ja 8(1), Pariisi konventsiooni artiklid 6quinquies ja 7), Euroopa Ühenduse õiguse ja Eesti siseriikliku õiguse kohaselt on kaubamärgiõigus omand, mille suhtes on omanikel õiguspärane ootus nende õiguste kaitsmisel ja nendega arvestamisel. Tubakatoodetele ühevärvilise välimuse kehtestamisel näeme potentsiaalselt ohtu salakaubanduse suurenemisele, mis juba hetkeseisuga moodustab Eesti Konjukturiinstituudi andmetel 25-30% Eestis müüdavatest sigarettidest ning mille tõttu jäi Eesti riigil 2009. aastal saamata 807 miljonit krooni maksutulu. Ühevärvilist tubakatoote pakendit on tõenäoliselt kergem võltsida ning raskem eristada legaalsetest toodetest, mistõttu võib suurened salakaubaturg.

explanations

No change

Government submission

identification

affiliation

government

name

GEORGE FOURLARIS General Director Perfecture of East Attica

email

GREECE

country

56

age

male

additional comments

No

**questions consumer
problem definition**

Not agree

explanations

No change

Government submission

identification

affiliation

government

name

Rebecca Broadbelt

email

United Kingdom

additional comments

Yes

explanations

Improve consumer information

which option

Picture warnings to become mandatory

Government submission

identification

affiliation

government

name

THEODOROS KARAOGLOU, MP GREEK PARLIAMENT

email

GREECE

additional comments

No

**questions consumer
problem definition**

NO COMMENT

explanations

No change

Government submission**identification****affiliation**

government

name

KIRIAKOS VELOPOULOS, MEMBER OF THE GREEK PARLIAMENT

email

GREECE

additional comments

No

questions consumer**problem definition**

NO COMMENTS

explanations

No change

Government submission**identification****affiliation**

government

name

ΠΑΠΑΓΕΩΡΓΙΟΥ ΑΘΑΝΑΣΙΟΣ , Papageorgiou Athanasios

email

ΕΛΛΑΔΑ

additional comments

No

questions consumer**problem definition**

KANENA ΣΧΟΛΙΟ

explanations

No change

Government submission

identification

affiliation

government

name

ΛΑΜΠΡΟΠΟΥΛΟΣ ΛΑΜΠΡΟΣ ΠΡΩΗΝ ΓΕΝΙΚΟΣ ΓΡΑΜΜΑΤΕΑΣ ΥΠΟΥΡΓΕΙΟΥ ΓΕΩΡΓΙΑΣ ΚΑΙ ΝΑΥΤΙΛΙΑΣ, Lampropoulos Lampros, Former Secretary General of the Ministry of Agriculture and Shipping

email

ΕΛΛΑΔΑ

additional comments

No

questions consumer

problem definition

Η ΒΙΟΜΗΧΑΝΙΑ ΘΑ ΕΓΕΙΡΕΙ ΑΠΑΙΤΗΣΕΙΣ ΑΠΟΖΗΜΙΩΣΕΩΝ ΠΟΛΛΩΝ ΔΙΣ.ΕΥΡΩ.

explanations

No change

Government submission

identification

affiliation

government

name

Polska Agencja Informacji i Inwestycji Zagranicznych S.A.

email

Polska

additional comments

Yes

explanations

No change

additional option

Agencja uważa, że wprowadzenie zwiększonych etykiet ostrzegawczych jak również ujednoczonych opakowań, mogą uniemożliwić umieszczenie w widoczny sposób na opakowaniach marki produktu i wszystkich elementów graficznych, które składają się na

znak towarowy. Może to prowadzić do naruszenia przepisów powszechnie obowiązującego prawa, w szczególności: Konstytucji RP przez ograniczenie zasady swobody prowadzenia działalności gospodarczej, Konwencji Paryskiej o ochronie praw własności przemysłowej, Rozporządzenia Rady WE nr 207/2009 w sprawie wspólnotowego znaku towarowego, Ustawy z dnia 30 czerwca 2000 r. Prawo własności przemysłowej, która nie przewiduje możliwości ograniczania ekspozycji znaków towarowych, jakichkolwiek produktów, w tym i produktów tytoniowych. Wprowadzenie więc proponowanych zmian prowadzić może do wyłączenia możliwości korzystania z praw nabytych przez przedsiębiorców. Sytuacja taka, zdaniem Agencji, może stanowić niezwykle niepożądany sygnał dla każdego obecnego i potencjalnego nowego inwestora. Należy również podkreślić, że jednym z priorytetów polskiej Prezydencji w UE na drugą połowę 2011 r. jest własność intelektualna. Powyższe propozycje stałyby w sprzeczności z tym priorytetem.

Government submission

identification

affiliation

government

name

ΔΙΑΜΑΝΤΑΤΟΣ ΓΕΡΑΣΙΜΟΣ ΠΡΟΕΔΡΟΣ ΝΟΜΑΡΧΙΑΚΗΣ ΛΑΟΣ ΚΕΦΑΛΛΗΝΙΑΣ
ΥΠ.ΒΟΥΛΕΥΤΗΣ, Diamantas Gerasimos, President Nomarch of LAOS Kefallinias, MP
Candidate

email

ΕΛΛΑΔΑ

additional comments

No

questions consumer

problem definition

ΟΙ ΚΑΤΑΝΑΛΩΤΕΣ ΕΧΟΥΝ ΤΟ ΔΙΚΑΙΩΜΑ ΝΑ ΠΛΗΡΟΦΟΡΟΥΝΤΑΙ ΓΙΑ ΤΙΣ
ΔΙΑΦΟΡΕΣ ΜΑΡΚΕΣ ΤΩΝ ΝΟΜΙΜΩΝ ΚΑΤΑΝΑΛΩΤΙΚΩΝ ΠΡΟΪΟΝΤΩΝ.

explanations

No change

Government submission

identification

affiliation

government

name

ΑΛΑΜΠΙΑΝΟΣ ΔΗΜΗΤΡΗΣ ΠΡΩΗΝ ΥΠ.ΜΕΤΑΦΟΡΩΝ ΚΑΙ ΕΠΙΚΟΙΝΩΝΙΑΣ
ΒΟΥΛΕΥΤΗΣ ΑΘΗΝΑ, Alampanos Dimitris, Former Minister of Transportation and

Communication, MP Athens

email

ΕΛΛΑΔΑ

additional comments

No

questions consumer

problem definition

ΤΑ ΟΜΟΙΟΜΟΡΦΑ ΠΑΚΕΤΑ ΘΑ ΟΔΗΓΗΣΟΥΝ ΣΕ ΠΕΡΑΙΤΕΡΩ ΜΕΙΩΣΗ ΤΩΝ
ΕΞΑΓΩΓΩΝ ΕΛΛΗΝΙΚΩΝ ΚΑΠΝΩΝ

explanations

No change

Government submission

identification

affiliation

government

name

ΠΑΝΑΓΙΩΤΗΣ ΚΟΥΡΟΥΜΠΛΗΣ ΒΟΥΛΕΥΤΗΣ ΑΙΤΩΛΟΑΚΑΡΝΑΝΙΑΣ ΠΑΣΟΚ,
Panagiotis Kouroumplis, MP Aitoloakarnania PASOK

email

ΕΛΛΑΔΑ

additional comments

No

questions consumer

problem definition

NO COMMENTS

explanations

No change

Government submission

identification

affiliation

government

name

Νίκος Νικολόπουλος, Βουλευτής Αχαΐας Ν.Δ, Nikos Nikolopoulos

email

Ελλάδα

additional comments

No

**questions consumer
problem definition**

Κανένα σχόλιο

explanations

No change

Government submission**identification****affiliation**

government

name

Menelaos Hatziapostolidis

email

Greece

country

47

age

male

additional comments

No

**questions consumer
problem definition**

Οι καταναλωτές είναι ήδη εδώ και πολλά χρόνια ενήμεροι για τις βλαβερές συνέπειες του καπνίσματος και δεν χρειάζονται αποκρουστικές εικόνες πάνω στα πακέτα. Η σωστή και υπεύθυνη ενημέρωση και όχι ο φόβος είναι αυτό που χρειάζεται ο υπεύθυνος καταναλωτής. Επίσης, το θπό αξιολόγηση μέτρο της θέσπισης "γενικής συσκευασίας-plain packaging" στα προϊόντα καπνού θα πλήξει το εμπόριο, την βιομηχανία, τα κρατικά έσοδα, ενώ θα αυξηθεί το παράνομο εμπόριο. Ο ανταγωνισμός των εταιρειών καπνού θα γίνεται αποκλειστικά στην τιμή, με αποτέλεσμα να καθίστανται φθηνότερα και, συνεπώς, περισσότερο προσβάσιμα από τους καπνιστές και ιδιαίτερα τους νέους. Άρα, δεν υπάρχει όφελος για την δημόσια υγεία.

explanations

No change

Government submission**identification****affiliation**

government

name

stayros stathopoulos

email

grece

age

male

additional comments

No

questions consumer**problem definition**

no comment

explanations

No change

Government submission**identification****affiliation**

government

name

ΚΑΤΣΙΚΑΡΗΣ ΔΗΜΗΤΡΙΟΣ (ΑΝΤΙΠΕΡΙΦΕΡΕΙΑΡΧΗΣ ΝΗΣΩΝ), Katsikaris Dimitrios,
Regional Vice Governor of Islands

email

ΕΛΛΑΔΑ

additional comments

No

questions consumer**problem definition**

Τα εμπορικά σήμερα προστατεύονται από τη νομοθεσία.

explanations

No change

Government submission**identification****affiliation**

government

name

ΧΡΟΝΟΠΟΥΛΟΣ ΒΑΣΙΛΗΣ ΑΝΤΙΝΟΜΑΡΧΗΣ ΑΘΗΝΩΝ, Hronopoulos Vasilis, Vice
Nomarch of Athens

email

ΕΛΛΑΔΑ

additional comments

No

questions consumer**problem definition**

Η ΑΠΑΓΟΡΕΥΣΗ ΤΩΝ ΛΟΓΟΤΥΠΩΝ ΚΑΙ ΕΜΠΟΡΙΚΩΝ ΣΗΜΑΤΩΝ ΠΡΟΣΚΡΟΥΕΙ
ΣΤΟ ΣΥΝΤΑΓΜΑ ΤΟΥΣ ΝΟΜΟΥΣ ΚΑΙ ΤΙΣ ΔΙΕΘΝΗΣ ΣΥΝΘΗΚΕΣ

explanations

No change

Government submission**identification****affiliation**

government

name

Harald Schwarz

email

Germany

country

42

age

male

additional comments

No

questions consumer

problem definition

Über die Einführung von neutralen Verpackungen konzentriert sich der Wettbewerb verstärkt auf das Preis-Marketing. Sinkende Preise wären die Konsequenz. Dies ist in Jeder Hinsicht (Jugend- und Gesundheitsschutz, Steuereinnahmen...) kontraproduktiv. Es wird pauschal unterstellt, dass die Einführung von Bildwarnhinweise auf das Rauchverhalten der Verbraucher einwirkt. Dafür gibt es bisher keine Nachweise aus Ländern, in denen Bildwarnhinweise bereits verpflichtend eingeführt wurden.

explanations

No change

Government submission

identification

affiliation

government

name

MINISTRY OF ECONOMIC DEVELOPMENT - DEPARTMENT FOR ENTERPRISE AND INTERNATIONALIZATION - GENERAL DIRECTORATE FOR THE FIGHT AGAINST COUNTERFEITING - ITALIAN PATENT TRADEMARK OFFICE

email

ITALY

additional comments

No

questions consumer

problem definition

La sezione affronta un ventaglio molto ampio di argomenti, alcuni dei quali estranei alla competenza istituzionale della Direzione generale scrivente. In particolare, non si possiede alcune competenza amministrativa – e di conseguenza non si hanno informazioni utili al riguardo – in merito alla utilità, efficacia e compatibilità con il funzionamento del mercato interno delle avvertenze illustrate; alla stampa dei livelli di TNCO sui pacchetti; né tanto meno sulla etichettatura delle pipe ad acqua. Al contrario, questa Direzione generale intende esporre le proprie considerazioni circa la questione del cosiddetto “confezionamento generico” o “plain packaging”, non già sotto il profilo delle possibili - o meno - ricadute positive in termini di disincentivo al fumo (questione di competenza del nostro Ministero della Salute) bensì con stretto riferimento alle tematiche attinenti i diritti di proprietà industriale. In tal senso, si ritiene che la definizione del problema sia adeguata in termini tecnici ma non pertinente, in quanto eccessivamente ampia, con la ripartizione di competenze all'interno dello Stato italiano.

explanations

No change

which improvement

A tal riguardo, fatta pertanto salva la legittima aspirazione alla salvaguardia della salute pubblica e le relative competenze in materia del Ministero della salute, si ritiene che si debbano ricercare altre modalità per “efficientare” le informazioni ai consumatori di prodotti del tabacco, non dando seguito alla proposta di “introduzione della confezione generica o neutra”.

additional option

In accordo con le premesse illustrate nella risposta alla domanda “problem definition” e alla luce delle considerazioni che seguiranno, si ritiene che l’opzione “nessun cambiamento” sia quella preferibile. Questa Direzione generale non possiede competenze in merito alle tematiche evidenziate nella “Opzione 2” e pertanto ritiene di dover appuntare i propri commenti sulla proposta contenuta nella “Opzione 3”. Il confezionamento generico consiste in una modalità di presentazione per la vendita dei prodotti lavorati del tabacco, avente lo scopo di uniformarne l’offerta, sul presupposto di un presunto effetto dissuasivo al consumo. In breve, si imporrebbe ai produttori di confezionare i prodotti in un pacchetto “in tinta unita (cartone bianco, grigio o chiaro)”, le cui dimensioni e forma “potrebbero anch’esse essere regolamentate”, residuando la possibilità “di stampare unicamente il nome della marca e del prodotto, la quantità del prodotto, le avvertenze per la salute e le altre informazioni obbligatorie come le marcature di sicurezza”. Si ritiene importante evidenziare, gli effetti negativi che l’introduzione di tale misura potrebbe avere in tema di contraffazione e di uso dei marchi aziendali. Sotto il primo profilo, appare evidente che un prodotto soggetto ad un confezionamento generico è più esposto a fenomeni contraffattivi di quanto non lo sia un prodotto per il cui confezionamento il produttore abbia fatto ricorso a specifiche caratteristiche distintive in termini di colori, elementi in rilievo, qualità e presentazione dell’involucro. La riproduzione di tali elementi caratteristici implica la disponibilità di tecnologie, prodotti ed esperienza produttiva non facilmente replicabili, mentre un imballaggio uniforme e generico agevolerebbe molto le possibilità tecniche dei contraffattori di produrre falsi pacchetti di sigarette. Peraltro, la misura proposta potrebbe determinare rilevanti effetti distorsivi nel mercato dei prodotti del tabacco, anzitutto in termini di contrabbando dai paesi limitrofi in cui i produttori non sarebbero soggetti all’obbligo del confezionamento generico. Il loro prodotto beneficerebbe infatti di un inaspettato vantaggio competitivo connesso alla familiarità del consumatore con il tradizionale confezionamento e, insieme ai prodotti contraffatti (generici e/o tradizionali), potrebbe avvicinare più facilmente al fumo quelle fasce deboli della popolazione (ad esempio, minorenni) escluse – in quanto correttamente tutelate - dal mercato regolare. Di tale dinamica concorrenziale, sembra essere consapevole anche codesta Commissione, allorché riferisce la circostanza per cui le diverse modalità di etichettatura attualmente vigenti a livello comunitario incidono sul funzionamento del mercato interno, “nonché sulla consapevolezza dei consumatori e, di conseguenza, sul loro modo di fumare”. Ancor più critica sarebbe la disparità di confezionamento con i paesi confinanti “non Ue”, allorché fosse adottato nello spazio comunitario il pacchetto generico, in costanza peraltro di preoccupanti fenomeni quali il Cross Border Trading, che colpisce in particolar modo il nostro Paese. Riguardo l’uso del marchio, inoltre, qualora tale proposta fosse accolta si potrebbe verificare una sorta di “espropriazione” del marchio aziendale per gli operatori economici del settore, che la normativa nazionale di cui al Codice della proprietà industriale (D.lgs n. 30/2005) non prevede e soprattutto con possibili violazioni anche delle regole comunitarie e degli accordi internazionali in materia. Una tale misura, peraltro, avrebbe conseguenze negative importanti per le imprese anche sotto il profilo economico, con ricadute

sfavorevoli in termini di tenuta del sistema e di sviluppo economico e dell'occupazione, considerata l'enorme rilevanza dei diritti di proprietà industriale negli asset aziendali. Si ritiene pertanto che le predette ricadute negative rendano non opportuno l'accoglimento della proposta contenuta nella "Opzione 3".

Government submission

identification

affiliation

government

name

sdf

email

sdfsdf

additional comments

No

questions consumer

problem definition

dfhghgh

explanations

No change

which improvement

ghghgh

additional option

ghghghgh

Government submission

identification

affiliation

government

name

Ministry of Finance General Chemical State Laboratory Department of Serres, Laboratory of Tobacco and Tobacco Products Konstantinos Kydros

email

Greece

country

46

age
male

additional comments
Yes

explanations
Establish a common compulsory reporting format; Introduce fees and sanctions

Government submission

identification
affiliation
government

name
Menelaos Hatziapostolidis

email
Greece

additional comments
No

questions on reporting
problem definition

Το μέτρο αυτό θα οδηγήσει στην ολική εξάλειψη των καπνών ανατολικού τύπου και αντίκειται στους κανόνες του υγιούς ανταγωνισμού χωρίς να προσφέρει οποιοδήποτε όφελος στην δημόσια υγεία, στον βαθμό που οι βλαβερές συνέπειες του καπνίσματος δεν οφείλονται στα πρόσθετα. Οποιαδήποτε θέσπιση ρύθμισης για τα συστατικά σε επίπεδο ΕΕ απαιτείται να βασίζεται σε επιστημονικά στοιχεία, και όχι στην έννοια της "ελκυστικότητας" που αναφέρετε και η οποία δεν μπορεί να αξιολογηθεί με επιστημονικά δεδομένα.

explanations
No change

Government submission

identification
affiliation
government

name
ΜΠΑΛΗ ΙΩΑΝΝΑ ΔΗΜΟΣΙΟΓΡΑΦΟΣ , Mpali Ioanna, Journalist

email

ΕΛΛΑΔΑ

additional comments

No

regulation of ingredients**problem definition**

ΚΑΝΕΝΑ ΣΧΟΛΙΟ

explanations

No Change

Government submission**identification****affiliation**

government

name

ΚΑΡΑΜΙΧΑΣ ΤΖΑΝΕΤΟΣ ΠΡΟΕΔΡΟΣ ΠΑΣΕΓΕΣ , Karamihas Tzanetos, President of PASEGES

email

ΕΛΛΑΔΑ

additional comments

No

regulation of ingredients**problem definition**

ΚΑΝΕΝΑ ΣΧΟΛΙΟ

explanations

No Change

Government submission**identification****affiliation**

government

name

Ministry of the Finance of the Slovak Republic

email

Slovakia

additional comments

No

regulation of ingredients**problem definition**

Pokiaľ ide o reguláciu prísad tabakových výrobkov, Ministerstvo financií Slovenskej republiky si dovoľuje upozorniť na spoločnú pozíciu Európskej únie na štvrté zasadnutie konferencie strán v Uruguayi v dňoch 15. -20.11.2010 k usmerneniam k článkom 9 a 10 Rámcového dohovoru o kontrole tabaku (15396/10, SAN 214), ktoré by mali byť vzaté do úvahy aj pri prípadnej revízii smernice 2001/37/EC týkajúcej sa oblasti regulácie prísad tabakových výrobkov.

explanations

No Change

Government submission**identification****affiliation**

government

name

ΜΑΤΣΙΚΑΣ ΗΛΙΑΣ ΠΡΟΕΔΡΟΣ ΚΑΙ ΓΕΝΙΚΟΣ ΔΙΕΥΘΥΝΤΗΣ ΑΠΕ , Matsikas Ilias,
President and General Director APE

email

ΕΛΛΑΔΑ

additional comments

No

regulation of ingredients**problem definition**

ΚΑΝΕΝΑ ΣΧΟΛΙΟ

explanations

No Change

Government submission**identification****affiliation**

government

name

Christos Smurlis Liakatas - Sumvoulos Ypourgou Georgias

email
Greece

country
58

age
male

additional comments
No

regulation of ingredients
problem definition
No Comment

explanations
No Change

Government submission

identification
affiliation
government

name
ΑΘΑΝΑΣΙΑΔΗΣ ΑΛΕΞΑΝΔΡΟΣ ΒΟΥΛΕΥΤΗΣ ΠΑΣΟΚ, Athanasiadis Alexandros, MP
PASOK

email
ΕΛΛΑΔΑ

additional comments
No

regulation of ingredients
problem definition
ΚΑΝΕΝΑ ΣΧΟΛΙΟ

explanations
No Change

Government submission

identification
affiliation

government

name

Θωμά Νατάσα, δημοσιογράφος, Thoma Natasa, Journalist

email

Ελλάδα

additional comments

No

regulation of ingredients

problem definition

Κανένα σχόλιο

explanations

No Change

Government submission

identification

affiliation

government

name

Athanasios Oikonomou (mp)

email

Greece

additional comments

No

regulation of ingredients

problem definition

no comments

explanations

No Change

Government submission

identification

affiliation

government

name

Ministry of Economic Affairs and Communications

email

Estonia

additional comments

Yes

explanations

Establish a common list of tobacco ingredients

which option

Establish a negative common list of tobacco ingredients

additional option

Majandus- ja Kommunikatsiooniministeerium pooldab algatusi, mille eesmärgiks on kaitsta inimtervist. Tubakatoote koostisosade piiramisel või keelamisel peab olema eelduseks teaduslik põhjendus. Koostisosade suhtes, mille kasutamist soovitakse keelata, tuleb esitada põhjalik teaduslik tõestus, et need on mürgised, noortele atraktiivsed ja sõltuvust tekitavad. Antud meede tooks kaasa kõigi Eestis müüdavate sigarettide muutumise samamaitselisteks, mis võib aga tarbijat suunata pigem salaturule, kus harjumuspärased tooted on endiselt saadaval. Samuti võib erinevate koostisosade keelustamine tekitada tarbijas valearvamuse, justkui oleks antud tubakatoode vähem tervist kahjustav ning tingida pigem kangema tubakatoodete tarbimist. Euroopa Liidu siseturu tingimustes toetame ühtse negative common list loomist, tagamaks meetmete ühtlustumise ja siseturu tõrgeteta toimimise. Positive common list seevastu pärsiks uute (võimalik, et vähem tervist kahjustavate) toodete turule tulekut.

Government submission

identification

affiliation

government

name

GEORGE FOURLARIS

email

GREECE

country

56

age

male

additional comments

No

regulation of ingredients
problem definition
NOT AGREE

explanations
No Change

Government submission

identification
affiliation
government

name
Rebecca Broadbelt

email
United Kingdom

additional comments
Yes

explanations
Establish a common list of tobacco ingredients

which option
Establish a positive common list of tobacco ingredients

Government submission

identification
affiliation
government

name
THEODOROS KARAOGLOU, MP GREEK PARLIAMENT

email
GREECE

additional comments
No

regulation of ingredients
problem definition
NO COMMENT

explanations

No Change

Government submission**identification****affiliation**

government

name

KIRIAKOS VELOPOULOS, MEMBER OF GREEK PARLIAMENT

email

GREECE

additional comments

No

regulation of ingredients**problem definition**

NO COMMENTS

explanations

No Change

Government submission**identification****affiliation**

government

name

ΠΑΠΑΓΕΩΡΓΙΟΥ ΑΘΑΝΑΣΙΟΣ , Papageorgiou Athanasios

email

ΕΛΛΑΔΑ

additional comments

No

regulation of ingredients**problem definition**

ΚΑΝΕΝΑ ΣΧΟΛΙΟ

explanations

No Change

Government submission

identification

affiliation

government

name

ΛΑΜΠΡΟΠΟΥΛΟΣ ΛΑΜΠΡΟΣ ΠΡΩΗΝ ΓΕΝΙΚΟΣ ΓΡΑΜΜΑΤΕΑΣ ΥΠΟΥΡΓΕΙΟΥ ΓΕΩΡΓΙΑΣ ΚΑΙ ΝΑΥΤΙΛΙΑΣ , Lampropoulos Lampros

email

ΕΛΛΑΔΑ

additional comments

No

regulation of ingredients

problem definition

Η ΑΠΑΓΟΡΕΥΣΗ ΤΩΝ ΣΥΣΤΑΤΙΚΩΝ ΘΑ ΠΛΗΞΕΙ ΤΟΥΣ ΕΛΛΗΝΕΣ ΚΑΠΝΟΠΑΡΑΓΩΓΟΥΣ ΚΑΙ ΔΕΝ ΘΑ ΩΦΕΛΗΣΕΙ ΤΗΝ ΥΓΕΙΑ ΤΩΝ ΠΟΛΙΤΩΝ.

explanations

No Change

Government submission

identification

affiliation

government

name

Polska Agencja Informacji i Inwestycji Zagranicznych S.A.

email

Polska

additional comments

Yes

explanations

No Change

additional option

Zdaniem Agencji regulowanie składu wyrobów tytoniowych w oparciu o kryterium atrakcyjności, które ma polegać na wprowadzeniu listy zakazanych dodatków na podstawie ich wpływu na atrakcyjność finalnego produktu, jest nieuzasadnione. Atrakcyjność jest

bowiem pojęciem abstrakcyjnym i uznaniowym, w związku z tym nie powinna stanowić podstaw do tworzenia przepisów regulujących jakiegokolwiek produkty. Regulacje dotyczące składu produkowanych na terenie UE produktów, w tym produktów tytoniowych, powinny opierać się na naukowo udowodnionych i obiektywnych przesłankach dotyczących toksyczności oraz właściwości uzależniających produktu, w przeciwnym wypadku mogą prowadzić do odmiennych interpretacji w każdym z państw członkowskich i naruszać swobodę przepływu towarów. Szeroki zakaz stosowania dodatków, może objąć takie, które są niezbędne w procesie technologicznym produkcji, a w konsekwencji wyeliminować niektóre odmiany tytoniu (np. uprawiany w Polsce tytoń Burley, stanowiący ok. 40% wszystkich polskich upraw) oraz doprowadzić do likwidacji wielu miejsc pracy i zwiększenie poziomu bezrobocia w najmniej rozwiniętych regionach Polski.

Government submission

identification

affiliation

government

name

ΔΙΑΜΑΝΤΑΤΟΣ ΓΕΡΑΣΙΜΟΣ ΠΡΟΕΔΡΟΣ ΝΟΜΑΡΧΙΑΚΗΣ ΛΑΟΣ ΚΕΦΑΛΛΗΝΙΑΣ
ΥΠ.ΒΟΥΛΕΥΤΗΣ, Diamantas Gerasimos, MP candidate

email

ΕΛΛΑΔΑ

additional comments

No

regulation of ingredients

problem definition

ΘΑ ΩΦΕΛΗΘΕΙ ΜΙΑ ΚΑΤΗΓΟΡΙΑ ΤΣΙΓΑΡΩΝ ΕΝΑΝΤΙ ΑΛΛΩΝ, ΚΙ ΑΥΤΟ ΧΩΡΙΣ
ΟΦΕΛΟΣ ΓΙΑ ΤΗΝ ΥΓΕΙΑ.

explanations

No Change

Government submission

identification

affiliation

government

name

ΑΛΑΜΠΙΑΝΟΣ ΔΗΜΗΤΡΗΣ ΠΡΩΗΝ ΥΠ.ΜΕΤΑΦΟΡΩΝ ΚΑΙ ΕΠΙΚΟΙΝΩΝΙΑΣ
ΒΟΥΛΕΥΤΗΣ ΑΘΗΝΑ , Alampianos Dimitris

email

ΕΛΛΑΔΑ

additional comments

No

regulation of ingredients

problem definition

Η ΑΠΑΓΟΡΕΥΣΗ ΤΩΝ ΣΥΣΤΑΤΙΚΩΝ ΘΑ ΟΔΗΓΗΣΕΙ ΣΕ ΠΕΡΑΙΤΕΡΩ ΜΑΡΑΣΜΟ ΤΟΥΣ ΕΛΛΗΝΕΣ ΠΑΡΑΓΩΓΟΥΣ ΚΑΠΝΩΝ ΑΝΑΤΟΛΙΚΟΥ ΤΥΠΟΥ

explanations

No Change

Government submission

identification

affiliation

government

name

ΠΑΝΑΓΙΩΤΗΣ ΚΟΥΡΟΥΜΠΛΗΣ ΒΟΥΛΕΥΤΗΣ ΑΙΤΩΛΟΑΚΑΡΝΑΝΙΑΣ ΠΑΣΟΚ,
Panagiotis Kouroumplis, MP Aitoloakarnania PASOK

email

ΕΛΛΑΔΑ

additional comments

No

regulation of ingredients

problem definition

NO COMMENTS

explanations

No Change

Government submission

identification

affiliation

government

name

Νίκος Νικολόπουλος, Βουλευτής Αχαΐας Ν.Δ.

email

Ελλάδα

additional comments

No

regulation of ingredients**problem definition**

Κανένα σχόλιο

explanations

No Change

Government submission**identification****affiliation**

government

name

ΚΑΤΣΙΚΑΡΗΣ ΔΗΜΗΤΡΙΟΣ (ΑΝΤΙΠΕΡΙΦΕΡΕΙΑΡΧΗΣ ΝΗΣΩΝ, ΠΑΣΟΚ), Katsikaris
Dimitrios

email

ΕΛΛΑΔΑ

additional comments

No

regulation of ingredients**problem definition**

Το κανονιστικό πλαίσιο κάθε καταναλωτικού προϊόντος θα πρέπει να βασίζεται σε
επιστημονικά δεδομένα.

explanations

No Change

Government submission**identification****affiliation**

government

name

ΧΡΟΝΟΠΟΥΛΟΣ ΒΑΣΙΛΗΣ ΑΝΤΙΝΟΜΑΡΧΗΣ ΑΘΗΝΩΝ, Hronopoulos Vasilis, Vice
Nomarch of Athens

email

ELLADA

additional comments

No

regulation of ingredients**problem definition**

Η ΑΠΑΓΟΡΕΥΣΗ ΤΩΝ ΣΥΣΤΑΤΙΚΩΝ ΘΑ ΠΛΗΞΕΙ ΤΟΥΣ ΕΛΛΗΝΕΣ
ΚΑΠΝΟΠΑΡΑΓΩΓΟΥΣ

explanations

No Change

Government submission**identification****affiliation**

government

name

PANAYOTOV Vladko Todorov

email

Bulgaria

age

male

additional comments

No

regulation of ingredients**problem definition**

Трябва да се установи по неоспорим научно доказан начин дали допълнителните съставки, използвани при производството на тютютневи изделия, могат да повлияят върху увеличаването на токсичостта и пристрастяването към употребата на тютюневи изделия. Оценка на привлекателността е практически и теоритически неприложима, тъй като това е субективна категория която не подлежи на обективно измерване или оценка.

explanations

No Change

which one

Трябва да се установи научен тест за всяка една съставка, а не да се групират всички съставки, тъй като всяка съставка има своите специфични качества. Също така е необходимо да се вземе предвид и количествения фактор при употребата на всяка съставка.

additional option

Производителите и вносителите трябва да предоставят своите годишни доклади до националните правителства относно използваните съставки в тютюневите изделия в уеднаквените формат според Практическото Ръководство на ЕК от 2007 г. Но всяка регулация относно рестрикция или забрана за която и да било съставка трябва да бъде на базата научно доказан критерии за ефективност от рестрикция или забрана. Затова смятам, че промяна на настоящата регулация не бива да бъде разглеждана към настоящия момент, до тогава докато ЕК не представи доказателства, че нова регулация ще има ефект в посока намаляване на вредата от тютюнопушенето. Опциите във Варианти 2 и 3, където се предвижда възможност за регулация на базата на “атрактивност”, показват, че в другите Варианти се планират мерки, които не са основани на научни доказателства, затова не бива да бъдат включени. Забрана за използване на съставки ще бъде пагубна върху цял един селскостопански отрасъл в България – а ивено тютюнопроизводството. По-подробни коментари ще представя на Комисията в отделно писмено становище, което моля да бъде разгледано като част от публичната консултация.

Government submission**identification****affiliation**

government

name

ΑΘΑΝΑΣΙΟΣ ΜΠΟΥΡΑΣ, Vice Minister of Economy

email

ΕΛΛΑΔΑ

additional comments

No

regulation of ingredients**problem definition**

Η ΕΝ ΛΟΓΩ ΡΥΘΜΙΣΗ ΠΡΕΠΕΙ ΝΑ ΒΑΣΙΖΕΤΑΙ ΣΕ ΕΠΙΣΤΗΜΟΝΙΚΩΣ ΕΓΚΥΡΑ ΔΕΔΟΜΕΝΑ

explanations

No Change

Government submission**identification****affiliation**

government

name

Ministry of Finance General Chemical State Laboratory Department of Serres, Laboratory of Tobacco and Tobacco Products Konstantinos Kydros

email

Greece

country

46

age

male

additional comments

Yes

explanations

Ban

which supply and access

Cross-border retail sales of tobacco to be banned over the Internet; Vending machines to be banned

which one2

-Το παράνομο εμπόριο και η λαθραία διακίνηση πρέπει να διωχθούν πιο αποτελεσματικά από ό,τι ως τώρα. -Η νόμιμη εμπορική δραστηριότητα δεν πρέπει να θιγεί περισσότερο από την απαγόρευση των αυτόματων πωλητών και την απαγόρευση του διαδικτυακού εμπορίου διότι θα περιορίσει την οικονομία και την απασχόληση σε μια περίοδο που παρατηρείται μεγάλη ύφεση και ανεργία σε πολλές περιοχές της Ένωσης. -Πρέπει με πολύ πιο έντονες δράσεις να περιοριστεί το φαινόμενο της παραποίησης (απομίμησης) καπνικών προϊόντων που φέρνει τεράστια κέρδη σε εγκληματικές οργανώσεις και αφαιρεί νόμιμους ιδιωτικούς και δημόσιους πόρους. Η ομοιομορφία στις συσκευασίες των καπνικών θα διευκολύνει πολύ την απομίμηση προϊόντων.

Government submission

identification

affiliation

government

name

Evangelia Solomou

email

Greece

additional comments

No

explanations

No change

Government submission**identification****affiliation**

government

name

ΜΠΑΛΗ ΙΩΑΝΝΑ ΔΗΜΟΣΙΟΓΡΑΦΟΣ , Mpali Ioanna, Journalist

email

ΕΛΛΑΔΑ

additional comments

No

access to tobacco products**problem definition**

ΚΑΝΕΝΑ ΣΧΟΛΙΟ

explanations

No change

Government submission**identification****affiliation**

government

name

Ministry of the Finance of the Slovak Republic

email

Slovakia

additional comments

No

access to tobacco products**problem definition**

V publikovanom materiáli sa zvažuje obmedzenie alebo zákaz zásielkového predaja cigariet z dôvodu, že nabúrava politiku kontroly tabaku, najmä pokiaľ ide o kontrolu veku, varovných označení a výberu dane. Dovoľujeme si preto upozorniť na súčasnú právnu úpravu možnosti zásielkového predaja na území Slovenskej republiky podľa § 32 zákona č. 106/2004 Z. z. o spotrebnej dani z tabakových výrobkov v znení neskorších predpisov vychádzajúcu z čl. 36

smernice Rady 2008/118/ES o všeobecnom systéme spotrebných daní a o zrušení smernice 92/12/EHS. Z cit. predpisov vyplýva, že zákaz zásielkového predaja by bol v rozpore so smernicou Rady 2008/118/ES o všeobecnom systéme spotrebných daní a o zrušení smernice 92/12/EHS.

explanations

No change

Government submission

identification

affiliation

government

name

ΚΑΡΑΜΙΧΑΣ ΤΖΑΝΕΤΟΣ ΠΡΟΕΔΡΟΣ ΠΑΣΕΓΕΣ , Karamihas Tzanetos, president of PASEGAS

email

ΕΛΛΑΔΑ

additional comments

No

access to tobacco products

problem definition

ΚΑΝΕΝΑ ΣΧΟΛΙΟ

explanations

No change

Government submission

identification

affiliation

government

name

ΜΑΤΣΙΚΑΣ ΗΛΙΑΣ ΠΡΟΕΔΡΟΣ ΚΑΙ ΓΕΝΙΚΟΣ ΔΙΕΥΘΥΝΤΗΣ ΑΠΕ , Matsikas Ilias, president and general Director APE

email

ΕΛΛΑΔΑ

additional comments

No

access to tobacco products
problem definition
KANENA ΣΧΟΛΙΟ

explanations
No change

Government submission

identification
affiliation
government

name
Christos Smurlis Liakatas - Sumvoulos Ypourgou Georgias

email
Greece

country
58

age
male

additional comments
No

access to tobacco products
problem definition
No Comment

explanations
No change

Government submission

identification
affiliation
government

name
ΑΘΑΝΑΣΙΑΔΗΣ ΑΛΕΞΑΝΔΡΟΣ ΒΟΥΛΕΥΤΗΣ ΠΑΣΟΚ

email
ΕΛΛΑΔΑ

additional comments

No

access to tobacco products**problem definition**

KANENA ΣΧΟΛΙΟ

explanations

No change

Government submission**identification****affiliation**

government

name

Simon Emil Ammitzbøll

email

Denmark

additional comments

No

access to tobacco products**problem definition**

The problem definition does not clearly define a problem regarding point of sale display.

explanations

No change

which one2

Tobacco is a legal product and should as such be allowed normal display. Banning public display of certain products will short circuit the market function and consolidate the position of dominant companies while de-facto preventing alternatives to enter the market. A ban will mean big costs to legitimate retailers – again undercutting the smaller market players. Furthermore there is no evidence supporting that banning point of sales display would have any impact on public health.

Government submission**identification****affiliation**

government

name

Θωμά Νατάσα δημοσιογράφος, Thoma Natasa, Journalist

email

Ελλάδα

additional comments

No

access to tobacco products

problem definition

Κανένα σχόλιο

explanations

No change

Government submission

identification

affiliation

government

name

Athanasios Oikonomou (mp)

email

Greece

additional comments

No

access to tobacco products

problem definition

no comments

explanations

No change

Government submission

identification

affiliation

government

name

Ministry on Economic Affairs and Communications

email

Estonia

additional comments

Yes

explanations

No change

which one2

Ühe võimaliku meetmena tubakatoodete kättesaadavuse piiramisel toetame ettepanekut keelata tubakatoodete müük interneti teel ja müügiautomaatidest.

additional option

Tubakatoodete väljapaneku keelustamine võib väikeettevõtetele maksma minna 25-30 000 krooni. Väikeste kaupluste puhul ei pruugi selline investering olla jõukohane, tuues kaasa kaupluse sulgemise, mis näiteks hajaasustusega piirkondades on suureks probleemiks. Arvestades, et Eestis on kokku tubakatooteid müüvaid kauplusi 2838 (millele lisanduvad muud müügikohad - nt toitlustusasutused 2205), võib jaesektori investering ulatuda kuni 190 miljoni kroonini. Selliste meetmeta rakendamine peab tuginema teaduslikele uuringutele, mis võimaldaks hinnata meetme proportsionaalsust kavandatava eesmärgi saavutamiseks.

Government submission

identification

affiliation

government

name

GEORGE FOURLARIS

email

GREECE

country

56

age

male

additional comments

No

access to tobacco products

problem definition

NOT AGREE

explanations

No change

Government submission

identification

affiliation

government

name

THEODOROS KARAOGLOU, MP GREEK PARLIAMENT

email

GREECE

additional comments

No

access to tobacco products

problem definition

NO COMMENT

explanations

No change

Government submission

identification

affiliation

government

name

KIRIAKOS VELOPOULOS, MEMBER OF GREEK PARLIAMENT

email

GREECE

additional comments

No

access to tobacco products

problem definition

NO COMMENTS

explanations

No change

Government submission

identification**affiliation**

government

name

ΠΑΠΑΓΕΩΡΓΙΟΥ ΑΘΑΝΑΣΙΟΣ , Papageorgiou Athanasios

email

ΕΛΛΑΔΑ

additional comments

No

access to tobacco products**problem definition**

ΚΑΝΕΝΑ ΣΧΟΛΙΟ

explanations

No change

Government submission**identification****affiliation**

government

name

ΛΑΜΠΡΟΠΟΥΛΟΣ ΛΑΜΠΡΟΣ ΠΡΩΗΝ ΓΕΝΙΚΟΣ ΓΡΑΜΜΑΤΕΑΣ ΥΠΟΥΡΓΕΙΟΥ
ΓΕΩΡΓΙΑΣ ΚΑΙ ΝΑΥΤΙΛΙΑΣ , Lampropoulos Lampros

email

ΕΛΛΑΔΑ

additional comments

No

access to tobacco products**problem definition**

ΚΑΘΕ ΝΟΜΙΜΟ ΠΡΟΪΟΝ ΘΑ ΠΡΕΠΕΙ ΝΑ ΜΠΟΡΕΙ ΝΑ ΔΙΑΤΙΘΕΤΑΙ ΥΠΟΨΗ
ΕΝΗΜΕΡΩΜΕΝΩΝ ΚΑΤΑΝΑΛΩΤΩΝ ΓΙΑ ΤΟΥΣ ΚΙΝΔΥΝΟΥΣ ΓΙΑ ΤΗΝ ΥΓΕΙΑ ΤΟΥΣ

explanations

No change

Government submission

identification**affiliation**

government

name

Polska Agencja Informacji i Inwestycji S.A.

email

Polska

additional comments

Yes

explanations

No change

additional option

W dokumencie konsultacyjnym zaproponowano jako jedną z opcji wprowadzenie zakazu ekspozycji wyrobów tytoniowych, co w świetle już obowiązujących restrykcji (zakaz sprzedaży nieletnim, po promocyjnych cenach czy samoobsługowej), nie znajduje wystarczającego uzasadnienia. W naszej ocenie taka zmiana nie spełniałaby konstytucyjnej zasady proporcjonalności, jak również mogłaby prowadzić do naruszenia zasady swobody prowadzenia działalności gospodarczej (nie wszystkie punkty handlowe będą miały możliwość dostosowania się do takich wymogów). PAiIZ S.A. ma świadomość konieczności ochrony zdrowia obywateli UE i popiera działania mające zwiększać tę ochronę. Wprowadzenie jednakże proponowanych regulacji, może prowadzić, oprócz naruszenia powszechnie obowiązujących przepisów prawa, również do niekorzystnej sytuacji dla polskiej gospodarki, w zakresie likwidacji miejsc pracy oraz wycofywaniem się inwestorów.

Government submission**identification****affiliation**

government

name

ΔΙΑΜΑΝΤΑΤΟΣ ΓΕΡΑΣΙΜΟΣ ΠΡΟΕΔΡΟΣ ΝΟΜΑΡΧΙΑΚΗΣ ΛΑΟΣ ΚΕΦΑΛΛΗΝΙΑΣ
ΥΠ. ΒΟΥΛΕΥΤΗΣ , Diamantas Gerasimos, president Nomarch of LAOS Kefallinias

email

ΕΛΛΑΔΑ

additional comments

No

access to tobacco products**problem definition**

ΟΙ ΚΑΤΑΝΑΛΩΤΕΣ - ΚΑΠΝΙΣΤΕΣ ΕΧΟΥΝ ΤΟ ΔΙΚΑΙΩΜΑ ΝΑ ΠΛΗΡΟΦΟΡΟΥΝΤΑΙ

ΓΙΑ ΤΑ ΔΙΑΘΕΣΙΜΑ ΣΤΗΝ ΑΓΟΡΑ ΠΡΟΪΟΝΤΑ ΚΑΠΝΟΥ.

explanations

No change

Government submission

identification

affiliation

government

name

ΑΛΑΜΠΑΝΟΣ ΔΗΜΗΤΡΗΣ ΠΡΩΗΝ ΥΠ.ΜΕΤΑΦΟΡΩΝ ΚΑΙ ΕΠΙΚΟΙΝΩΝΙΑΣ
ΒΟΥΛΕΥΤΗΣ ΑΘΗΝΑ , Alampanos Dimitris

email

ΕΛΛΑΔΑ

additional comments

No

access to tobacco products

problem definition

ΔΕΝ ΕΧΕΙ ΑΠΟΔΕΙΧΘΕΙ ΟΤΙ Η ΑΠΑΓΟΡΕΥΣΗ ΤΟΠΟΘΕΤΗΣΗΣ ΠΡΟΪΟΝΤΩΝ
ΚΑΠΝΟΥ ΣΤΑ ΠΕΡΙΠΤΕΡΑ ΘΑ ΜΕΙΩΣΕΙ ΤΟ ΚΑΠΝΙΣΜΑ

explanations

No change

Government submission

identification

affiliation

government

name

ΠΑΝΑΓΙΩΤΗΣ ΚΟΥΡΟΥΜΠΛΗΣ ΒΟΥΛΕΥΤΗΣ ΑΙΤΩΛΟΑΚΑΡΝΑΝΙΑΣ ΠΑΣΟΚ,
Panagiotis Kouroumplis, MP Aitoloakarnania PASOK

email

ΕΛΛΑΔΑ

additional comments

No

access to tobacco products

problem definition

NO COMMENTS

explanations

No change

Government submission

identification

affiliation

government

name

Νίκος Νικολόπουλος, Βουλευτής Αχαΐας Ν.Δ. , Nikos Nikolopoulos

email

Ελλάδα

additional comments

No

access to tobacco products

problem definition

Κανένα σχόλιο

explanations

No change

Government submission

identification

affiliation

government

name

ΚΑΤΣΙΚΑΡΗΣ ΔΗΜΗΡΗΣ (Αντιπεριφερειάρχης Νήσων, ΠΑΣΟΚ), Katsikaris Dimitrios

email

ΕΛΛΑΔΑ

additional comments

No

access to tobacco products

problem definition

Δεν αντιμετωπίζεται η βλάβη που προκαλεί το κάπνισμα με τέτοιου είδους ακραία και αναποτελεσματικά μέτρα

explanations

No change

Government submission**identification****affiliation**

government

name

ΧΡΟΝΟΠΟΥΛΟΣ ΒΑΣΙΛΗΣ ΑΝΤΙΝΟΜΑΡΧΗΣ ΑΘΗΝΩΝ, Hronopoulos Vasilis

email

ΕΛΛΑΔΑ

additional comments

No

access to tobacco products**problem definition**

Η ΑΠΑΓΟΡΕΥΣΗ ΤΟΠΟΘΕΤΗΣΗ ΠΡΟΙΟΝΤΩΝ ΚΑΠΝΟΥ ΣΤΑ ΠΕΡΙΠΤΕΡΑ ΘΑ ΠΛΗΞΕΙ 40000 ΧΙΛ ΛΙΑΝΕΜΠΟΡΟΥΣ ΣΤΗΝ ΕΛΛΑΔΑ

explanations

No change

Government submission**identification****affiliation**

government

name

MINISTRY OF ECONOMIC DEVELOPMENT - DEPARTMENT FRO ENTERPRISE AND INTERNATIONALIZATION -GENERAL DIRECTORATE FOR THE FITGHT AGAINST COUNTERFEITING - ITALIAN PATENT TRADEMARK OFFICE

email

ITALY

additional comments

No

access to tobacco products**problem definition**

La sezione affronta un ventaglio molto ampio di argomenti, alcuni dei quali estranei alla competenza istituzionale della Direzione generale scrivente. In particolare, non si possiede

alcune competenza amministrativa – e di conseguenza non si hanno informazioni utili al riguardo – in merito al commercio transfrontaliero di tabacco tramite internet e all’accesso ai distributori automatici di sigarette. Al contrario, questa Direzione generale intende presentare le proprie considerazioni circa la questione della esposizione dei prodotti del tabacco nei negozi al dettaglio, in analogia con quanto fatto a proposito delle Informazioni ai consumatori, cioè con esclusivo e stretto riferimento alle tematiche attinenti i diritti di proprietà industriale e non già a quelle relative alla tutela della salute. In tal senso, si ritiene che la definizione del problema sia adeguata in termini tecnici ma non pertinente, in quanto eccessivamente ampia, con la ripartizione di competenze all’interno dello Stato italiano.

explanations

No change

which one2

A tal riguardo, fatta pertanto salva la legittima aspirazione alla salvaguardia della salute pubblica e le relative competenze in materia del Ministero della salute, si ritiene che si debbano ricercare altre modalità per meglio disciplinare l’accesso ai prodotti del tabacco, non dando seguito alle proposte di limitazione o divieto di esposizione nei punti vendita.

additional option

In accordo con le premesse illustrate nella risposta alla precedente domanda e alla luce delle considerazioni che seguiranno, si ritiene che l’opzione “nessun cambiamento” sia quella preferibile. Con specifico riferimento alla “Opzione 3c”, si devono richiamare per analogia le considerazioni già fatte per l’Area 3 della Consultazione, in merito agli effetti negativi che l’introduzione di tale misura potrebbe avere in tema di contraffazione e di uso dei marchi aziendali. Il divieto di esposizione nei negozi al dettaglio, infatti, limiterebbe impropriamente il legittimo uso del marchio da parte delle aziende titolari del relativo diritto e potrebbe incrementare dinamiche illecite nella vendita dei prodotti del tabacco, diminuendo le concrete possibilità di vigilanza del consumatore medio. Tali ultime considerazioni possono essere estese anche con riferimento alla “Opzione 2c”. Si ritiene pertanto che le ricadute negative sopra illustrate rendano non opportuno l’accoglimento delle proposte contenute nella “Opzione 2c” e nella “Opzione 3c”.

Government submission

identification

affiliation

government

name

AENA, Aeropuertos Españoles y Navegación Aérea (Spanish Airports and Air Navigation)

email

Spain

country

46

age
male

additional comments

No

access to tobacco products

problem definition

We do not agree as it is not entirely accurate. The definition states that the United Kingdom has announced that it will prohibit the display of tobacco products in large shops from October 2011 and from all other places from October 2013 in England, Wales and Northern Ireland. The UK has recognized the unique nature of the duty free industry and has distinguished duty free retailers from domestic retailers. The definition also states that a similar ban has been announced by Ireland. In fact, the ban is not similar to that of the United Kingdom as it does not distinguish the duty-free industry from domestic retailers. As a result the sales of duty-free tobacco in Ireland have dropped by 35%, this is compared to the domestic market where tobacco sales have remained relatively static.

explanations

No change

additional option

No Change allows Member States to retain competency to address problems on limiting the access to tobacco products. Arguments: .- Due to the unique market they serve, airport duty free and travel retail shops would be disproportionately affected by a tobacco product display ban. .- In most jurisdictions where a tobacco display ban has been introduced, the government has accepted some sort of derogation for airports. We encourage European Commission to review regulation of the airports channel, recognizing its uniqueness. In other words, not looking for exemptions but for specific rules applying to this channel. .- Displays inform the consumer of the products available, their prices, the pack sizes available and their characteristics. .- Because of the international nature of airport retailing, a large number of brands are sold, many of which are not available in the domestic market. .- Language barriers are a major factor for international travellers who may not speak the language of the airport he or she is passing through. .- Maintaining the display of tobacco products at the point of sale is essential for efficient retailing given the high turnover and value of the product. .- A display ban will negatively impact total commercial revenue as tobacco is one of the key drivers of sales in duty free and travel retail shops, as industry has tested that tobacco consumers have a significant higher spend per head ratio on other categories, different to tobacco. .- The display of tobacco products at point of sale does not encourage consumption, stimulate "impulse" purchases or inhibit abstention or quitting. Tobacco consumers usually decide in advance their purchase. .- In general, airport commercial revenue can cover much more than a third of total airport income. This is particularly higher in regional airports where low cost carriers are mainly operating. .- Any reduction in retail revenue will significantly impact airport operations and development. .- The European Commission has recognized that duty free and travel retail shops do not compete with the domestic market, they are nevertheless in very real and direct competition with retail outlets at other international airports and with airline onboard sales. .- If passengers do not purchase their desired goods at the departure airport, they will simply delay the purchase to onboard the airline, to the transfer airport, or in many cases to their arrival airport (this trendy also is a potential threat for retailing located at traditional departures areas) . The sale and subsequent revenue is simply lost to another

airport or airline, damaging the international competitiveness of European airports. .- The increase of commercial revenues is becoming more and more necessary to face up to the high investment on infrastructure than this industry (air transportation) requires to meet, not only its growing demand, but the high cost of new additional technology to cope with (i.e., last security requirements in progress at UE level). There are also negative impacts on commercial incomes, either directly (.i.e. OMS regulations, security issues like STEBs, unilateral One Bag Policy from some carriers, etc.), or indirectly caused by natural disasters (volcanic ashes, epidemic issues, etc.)

Government submission

identification

affiliation

government

name

evelina patsoura

email

Greece

additional comments

No

access to tobacco products

problem definition

no coments

explanations

No change

Government submission

identification

affiliation

Government

name

Ministry of Economy of Lithuania

email

Jurgita.Stasiunaite@ukmin.lt

country

Lithuania

questions scope

problem definition

Yes

which option

Extend the scope of the Directive

additional comments

Pritariama, kad direktyva turėtų apimti visus tabako produktus. Nauji ne tabako produktai (elektroninės cigaretės ir kt.) turėtų būti reguliuojami, tačiau šis reguliavimas nebūtinai turėtų būti nustatytas Tabako produktų direktyvoje.

questions smokeless**problem definition**

Yes

which option

2.3 Ban on all types of smokeless tobacco products

questions consumer**problem definition**

Yes

which option

3.2 Improve consumer information

which improvement

3.2a) Picture warnings to become mandatory. 3.2b) Tar, nicotine and carbon monoxide levels to be replaced with general information on harmful substances in tobacco products

additional comments

3.2a) Lietuva pritartų privalomam iliustruotų įspėjimų įgyvendinimui, tačiau, mano, kad įspėjimams skirtas plotas neturėtų būti didinamas. Iliustruotų įspėjimų dydis turėtų būti pastovus, o ne kaitaliojamas. Pastovus įspėjimų dydis galėtų būti nust. 3.2b) iš esmės pritariame dervų, nikotino ir anglies monoksido kiekio nuorodų ant pakuočių pakeitimui nuorodomis apie sudedamąsias dalis (dėl detalių gali būti diskutuojama). 3.2c) informacijos pateikimui į pakuotės vidų įdedamuose įdėkluose nepritariame, manome, kad tai neefektyvu. 3.3. Nepritariame siūlymui įgyvendinti bendrąją arba vienspalvę pakuotę dėl šių priežasčių: a) tai skatintų kontrabandos ir nelegalios prekybos tabako gaminiiais augimą. Dėl labai didelio tabako gaminių kainų Lietuvoje ir su ja besiribojančiose trečiosiose valstybėse skirtumo, kontrabandos ir nelegalios prekybos lygis Lietuvoje pastaruoju metu labai išaugo ir yra gąsdinantis ir įpareigojantis (įvairiais skaičiavimais nuo 40 iki 50 procentų rinkoje realizuojamų tabako gaminių yra nelegalūs). Tai daro didžiulę žalą ne tik legaliam verslui, bet ir valstybės biudžetui (nesurenkami mokesčiai, didėja išlaidos kovai su kontrabanda ir nelegalia prekyba); Monochrominės standartizuotų matmenų pakuotės (minimalus spalvų panaudojimas, vienodas šriftas ir pan.) labai padidintų tabako gaminių klastojimo galimybes, nes būtent cigarečių pakelių išvaizda (trimatė ofsetinė spauda) yra vienas iš sunkiausiai suklastojamų tabako produktų požymių. Tai sąlygotų šešėlinio verslo suklestėjimą ir nusikalstamumo augimą. b) bendrosios ar vienspalvės pakuotės įvedimas praktiškai yra prekių ženkle uždraudimas: – tokių pakuočių naudojimas didintų administracinę naštą verslui (asmenims, besiverčiantiems mažmenine ir/ar didmenine prekyba būtų sunkiau atlikti su šia

veikla susijusius veiksmus – tabako gaminių sandėliavimą, atsargų papildymą, asortimento tikrinimą, saugojimą, paiešką, vartotojų aptarnavimą ir pan. – kuriuos jiems palengvina vizualinis pakuočių atpažinimas); – tai gali prieštarauti tarptautinei teisei dėl intelektinės nuosavybės teisių apsaugos bei Lietuvos Respublikos Konstitucijoje įtvirtintiems nuosavybės neliečiamumo ir sąžiningos konkurencijos principams; – tai iškreiptą konkurenciją, nes gamintojams liktų vienintelė priemonė, kuria jie gali konkuruoti – tabako gaminių kaina. Konkurencijai persikėlus tik į kainodarą, gamintojai būtų paskatinti mažinti tabako gaminių kainas, kurios yra laikomos viena efektyviausių priemonių, mažinant tabako gaminių prieinamumą ir paplitimą (ypač nepilnamečiams ir kitoms mažas pajamas turinčioms gyventojų grupėms). Be to, siekis mažinti kainą gali lemti ir prastesnę gaminių kokybę; – abejotinas šios priemonės efektyvumas ir proporcingumas, siekiant mažinti tabako gaminių vartojimą (nėra įrodymų, paremtų moksliniais tyrimais, faktų analize ar pan., kad bendroji ar vienspalvė pakuotė skatintų atsisakyti tabako gaminių vartojimo).

questions on reporting
problem definition

Yes

which option

4.2 Establish a common compulsory reporting format

additional comments

4.3. Siūlymui įdiegti mokesčius nepritariame, nes nėra aiškus šių mokesčių tikslas, jų paskirstymas ir panaudojimas. Taip pat nepritariame tabako gaminių registravimui (t. y., kad tik registruoti produktai būtų leidžiami pateikti rinkai), nes tai būtų papildoma administracinė našta verslui. Be to, vadovaujantis laisvo prekių judėjimo principu, valstybės narės negali taikyti jokių kiekybinių ar jiems prilyginamų prekių judėjimo apribojimų (taip pat ir registravimo), t. y. valstybės narės negali reikalauti papildomo registravimo prekėms, kurios jau yra teisėtai parduodamos kitoje valstybėje narėje. Taigi tokio registravimo nauda VN yra abejotina. Pažymėtina, kad tabako gaminių prekyba Lietuvoje yra licencijuojama veikla, licencijos išduodamos tik sumokėjusiems rinkliavą asmenims.

regulation of ingredients

problem definition

Yes

which option

5.3. Establish a common list of tobacco ingredients

which one

Establish a negative common list of tobacco ingredients

access to tobacco products

problem definition

Yes

which option

6.3 Ban

which one2

6.3a) Cross-border retail sales of tobacco to be banned over the Internet 6.3b) Vending machines to be banned

additional comments

6.3c) tabako gaminių demonstravimo mažmeninės prekybos vietose draudimui ES lygiu nepritariame, be to, tai nėra šios direktyvos apimtis. Valstybės vidaus prekybos organizavimas nepažeidžia kitų valstybių interesų, todėl mažmeninės prekybos valstybės viduje reguliavimas yra VN kompetencija. Be to, jei tabako gaminių pakuotė traktuojama kaip reklamos priemonė, tai šis klausimas turėtų būti reguliuojamas Europos Parlamento ir Tarybos direktyvoje 2003/33/EB dėl valstybių narių įstatymų ir kitų teisės aktų, reglamentuojančių tabako produktų reklamą ir rėmimą, suderinimo, bet ne direktyvoje 2001/37/EB .
