



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Health systems, medical products and innovation  
**Cross-border healthcare and tobacco control**

## **EXPERT GROUP ON TOBACCO CONTROL MEETING OF THE SUBGROUP ON TRACEABILITY AND SECURITY FEATURES**

### **- SUMMARY RECORD -**

**Date:** 24 March 2022  
**Location:** Video-conference

#### **Session 1 - only Member States' representatives**

##### **1. Welcome and introduction**

The Chair welcomed the participants, reminded them about the basic rules as to participation in discussions via video-conference, introduced the meeting's agenda and different sessions. The Subgroup approved the agenda.

##### **2. Communication from SANTE**

###### *2.1. Reporting on the functioning of the system*

SANTE updated the Group on the functioning of the repositories system.

###### *2.2. Statistics on traceability system*

SANTE presented an overview of recent statistics on the application and movement of unique identifiers (UIs), total numbers of economic operators, facilities and machines, packet level UIs and aggregated level UIs, router's and portal's monthly response times as well as monthly uptime of the secondary repository.

###### *2.3. Data quality and user management statistics*

SANTE presented Member State by Member State statistics on the supply chain coverage over the period January 2021 – February 2022.

Other Member State by Member State statistics that were presented to the Subgroup, concerned:  
a) the total number of facilities' postal codes that could not be found in the repositories system as they were not retrieved from any address field or were not properly validated, b) the use of

vending vans, and c) the split of facilities that were registered in the system, including manufacturing sites with warehouses, warehouses, retail outlets and other facilities' types.

In addition, SANTE presented an overview of the total number of tobacco products' brands that were reported to the system by manufacturers and importers under their requests to the competent ID Issuer for unit level UIs.

The Subgroup discussed the above statistics. SANTE pointed out that the statistics signal the existence of certain misreporting in several Member States, stressed the importance of enforcement actions at national level and invited the concerned Member States to step up the enforcement activities.

Finally, SANTE presented an overview of the traceability system's national users (with active status in March 2022) per Member State and encouraged the Member States to use actively the system.

#### *2.4. Joint Controllership Arrangement regarding personal data processing in the EU tobacco traceability system*

SANTE informed the Member States about the current state of play regarding the final version of the Joint Controllership Arrangement that was agreed between the Member States and the Commission, and the next steps concerning the signature of the text.

#### *2.5. Audit of Dentsu*

SANTE summarised the main findings of the audit of the provider of the secondary repository and the router to the Group and informed as to the positive outcome of this audit exercise.

#### *2.6. Data storage contracts: overview*

The Subgroup was updated on the latest draft data storage contracts that were notified to the Commission, as well as the total number of the approved data storage contracts that were (fully or partially) disclosed to the Member States for enforcement purposes.

## **Session 2 - Member States' representatives and the operator of the secondary repository**

### *Presentation by the operator of the secondary repository*

The operator of the secondary repository presented information and statistics on the operation of the secondary repository and router, the repositories system's new functionalities, the mobile inspection application and the training programme concerning the operation of the central interfaces to the Subgroup.

The Subgroup discussed the above information and statistics.

### **Session 3 - Member States' representatives and Sopra Steria**

#### *Presentation by Sopra Steria*

Sopra Steria presented information on the project concerning the preparation of an expert study on the development and configuration of automatic alerts to be generated by the repositories system of the EU tobacco traceability system to the Subgroup.

The Subgroup discussed the above information and statistics.

### **Session 4 - only Member States' representatives**

#### **3. Communication from Member States**

One Member State presented information about enforcement activities that took place at national level as a reaction to infringements of Commission Implementing Regulation (EU) 2018/574.

Another Member State raised the issue of security features for tobacco products other than cigarettes and roll-your-own tobacco that will also be subject to obligations concerning traceability and security features from 20 May 2024. DG SANTE referred to the relevant provisions of Directive 2014/40/EU and Commission Implementing Decision (EU) 2018/576. In this context, another Member State raised the question about security features on tax stamps and the importance of the alignment of the relevant provisions of the Tobacco Tax Directive with the Tobacco Products Directive.

#### **4. Q&As / Discussions**

##### *4.1. EO facilities' relocation: impact on the issued FIDs*

One Member State asked about the impact of a wholesaler facilities' relocation on the facility identifier codes that were issued and relate to the old facility that is not used anymore. SANTE stressed that in case a wholesaler relocates, the facility identifier code that has already been issued and is linked to the 'old' location will not be valid anymore and needs to be withdrawn. As a result, the wholesaler has to request a new F\_ID for the new facility that is associated with the new location and de-register the F\_ID linked to the old facility. DG SANTE also clarified that in this case, the wholesaler should also report any movement of tobacco products, which means the reporting of the dispatch of all the existing stocks out of the old facility and of their subsequent arrival into the new location. This means that in the interim period, both old and new F\_ID may need to be active.

##### *4.2. Possibility to check FIDs in case of deliveries of unit-level unique identifiers to accredited EOs*

An ID Issuer asked about the possibility to examine details of specific FIDs in case of deliveries of unit-level unique identifiers to accredited EOs. The verification may be required to ascertain the legality of such deliveries in view of other national rules unrelated directly to the traceability

system. SANTE clarified that in justified cases this information can be obtained from the Member State's competent authority who can retrieve the relevant information from the system.

#### *4.3. Place of installation of anti-tampering devices*

One Member State asked whether an anti-tampering device needs to be installed on the machine that is used for the manufacture of tobacco products and has acquired an MID, or on another machine from the same production line. SANTE stressed that the number of the anti-tampering devices listed in the declaration of Article 7(2) of Commission Implementing Regulation (EU) 2018/574 should be in principle equal to the number of the (registered) active manufacturing machines. For this reason, anti-tampering devices should be installed on each active manufacturing machine.

#### **5. AOB & Closing remarks**

The Chair thanked the participants for their active contribution to the meeting and looked forward to the next meeting in June 2022.

## List of participants

Austria	Ministry of Finance - Tax and Customs Administration, Ministry for Social Affairs, Health, Care and Consumer Protection
Belgium	(Customs and Excise Administration and FPS Health, Food Chain Safety and Environment)
Bulgaria	The National Customs Agency
Croatia	(Customs Administration)
Cyprus	(Department of Customs and Excise)
Czech Republic	(Ministry of Agriculture, Czech Agriculture and Food Inspection Authority, State Printing Works of Securities)
Denmark	(Danish Safety Technology Authority)
Estonia	(Tax and Customs Board)
Finland	(Customs department, Ministry of Social Affairs and Health)
France	(Customs department, DGDDI)
Germany	(Bundesdruckerei GmbH, Bundesministerium für Ernährung und Landwirtschaft (BMEL))
Greece	(Independent Authority for Public Revenue, General Secretariat of Information Systems for Public Administration, Ministry of Digital Governance)
Hungary	(Minister Without Portfolio responsible for Handling the National Assets of Hungary, Supervisory Authority of Regulated Activities)
Iceland	-
Ireland	(Department of Health, Office of the Revenue Commissioners)
Italy	(Customs and Monopolies Agency, Ministry of Health)
Latvia	(State Revenue Service of the Republic of Latvia)
Lithuania	(Drug, Tobacco and Alcohol Control Department, State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania)
Luxembourg	(Administration des douanes et accises, Direction de la Santé)

Malta	(Customs department)
Netherlands	(Customs Department, Ministry of Health, Welfare and Sport)
Norway	(Directorate of Health)
Poland	(Ministry of Finance, Polish Security Printing Works, Revenue Administration Regional Office in Katowice)
Portugal	(Tax and Customs Authority)
Romania	(General Directorate of Customs)
Slovakia	(Datacentrum under the Ministry of Finance of the Slovak Republic, Financial Directorate under the Ministry of Finance of the Slovak Republic)
Slovenia	(Financial Administration of Republic of Slovenia)
Spain	(Agencia Tributaria. Ministerio de Hacienda y Administraciones Públicas, Comisionado para el Mercado de Tabacos, FNMT-RCM)
Sweden	(Public Health Agency, Folkhälsomyndigheten)

### **European Commission**

DG SANTE	Filip Borkowski Corina Vasilescu Dimitrios Apostolou Melina Ballario Nicolle Monica Dimitriu Neus Prenafeta Perez-Olivares
DG OLAF	Charlotte Merlier Giuseppe Marra