EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Health systems and products
Substances of human origin and Tobacco control

Brussels, 07 July 2015

1ST MEETING OF THE TOBACCO PRODUCTS COMMITTEE

SUMMARY RECORD

Date: **2 July 2015**

Place: **CCAB-4C**

The meeting focused on the implementation of the Tobacco Products Directive 2014/40/EU (TPD), in particular in the area of packaging and labelling and two draft Commission implementing decisions circulated before the meeting.

First, the Commission presented the draft Commission implementing decision on the positioning of the general warning and the information message on roll-your own tobacco based on Article 9 (6) TPD. It was explained that the draft had been notified to the WTO under the TBT agreement and a 60 day standstill (until mid-August) has to be respected before the committee could be invited to vote. It was also stressed that an external contractor had provided input to the work, in particular to identify main types of roll-your own pouches and the most commonly used materials in these pouches.

In general, Member States supported the approach suggested by the Commission. A few Member States said they would be in favour of no or a shorter transitional period for packets made of polyethylene or laminate material, while others suggested a longer period or asked whether the transitional option could be used permanently. The Commission responded that the transitional period was proposed to allow industry time to adapt their production process, but that ultimately the warnings should be positioned on the inside of the flap to ensure a better visibility and an equal treatment of different pouch types.

A few minor clarifications were also proposed to the text. The Commission promised to circulate a slightly modified text based on the discussion and asked Member States to send any additional comments as soon as possible.

Secondly, the Commission presented the draft Commission implementing decision on the layout, design and shape of combined health warnings based on Article 10 (4) TPD. It was indicated that the draft had been notified to the WTO under the TBT agreement and a 60 day standstill (until end August) has to be respected before the committee could be

invited to vote. It was also stressed that an external contractor had provided input to the work and that Member States could expect to receive technical files on the picture warnings in October.

In general, Member States welcomed the draft proposal and no suggestions for modifications were made at the meeting. The Commission asked Member States to send any additional comments as soon as possible. A few points have been raised after the meeting, including allowing some flexibility for combined health warnings on the front of packets with large flip top lids and for fonts to be used in combined health warnings on tobacco products other than cigarettes and RYO tobacco.

Thirdly, the Commission gave a short update on the TPD implementation in general and referred the participants to the implementation plan which is published and regularly updated on the DG SANTE website. A short update on the development of the legal acts and the key orientations in the other areas of the TPD were also given, including on ingredients, e-cigarettes and track & trace.

Fourthly, the Commission indicated a few issues on packaging and labelling where industry stakeholders have asked for information from Member States as soon as possible on how they intend to transpose TPD. These concern whether other products than cigarettes, roll-your own tobacco and water-pipe tobacco will need to carry combined health warnings (Art. 9/10 or 11), which general warning will be required (Art. 9 (1)), the cessation information to be used (Art. 10 (1b)), the use of the tax stamp exemption (Art.10 (1e)) and the use of the exhaustion of stock provision (Art. 30).

Finally, a short discussion took place about a proposal to develop CEN standards for track and trace systems and security features. The committee was generally concerned about this, in particular in the context of the regulatory power foreseen under Articles 15 and 16 TPD.

Annex I

List of participants

Members of the Tobacco Products Committee:

Austria	(Federal Ministry of Health)
Belgium	(FPS Public Health)
Bulgaria	(Permanent Representation of the Republic of Bulgaria to the EU)
Croatia	(Permanent Representation of Croatia to the EU)
Cyprus	(Permanent Representation of Cyprus to the EU)
Czech Republic	(Ministry of Agriculture/Ministry of Health)
Estonia	(Ministry of Social Affairs)
Finland	(Ministry of Social Affairs and Health)
France	(Direction Générale de la Santé)
Germany	(Ministry of Food and Agriculture)
Greece	(Ministry of Health and Social Insurance/Permanent Representation of Greece to the EU)
Hungary	(National Institute for Health Development/Permanent Representation of Hungary to the EU)
Ireland	(Department of Health)
Italy	(Ministry of Health)
Latvia	(Permanent Representation of the Republic of Latvia to the EU)
Lithuania	(Ministry of Economy of Lithuania/Permanent Representation of Lithuania to the EU)
Luxembourg	(Permanent Representation of Luxembourg to the EU)
Malta	(Enviorenmental Health Directorate Ministry for Energy and Health)
Poland	(Ministry of Health/Bureau for Chemical Substances)
Portugal	(General Directorate of Health)
Romania	(Ministry of Health)
Slovakia	(Public Health Authority)
Slovenia	(Ministry of Health of the Republic of Slovenia)
Spain	(Ministry of Health)
Sweden	(Public Health Agency of Sweden)
The Netherlands	(Ministry of Health, Welfare and Sport)
United Kingdom	(Department of Health)

Observers:

Norway	(Ministry of Health)
Iceland	(Ministry of Welfare)
EFTA Secretariat	

Other third parties:

Turkey	(Tobacco and Alcohol Market Regulatory Authority/Permanent Delegation of Turkey to the EU)

Commission:

DG SANTE D4	Dominik Schnichels (chair)
	Anna-Eva Ampélas
	Katja Bromen
	Isabel Holmquist
	Patricia Murray
	Benedikt Reinke
	Kerstin Selbach