

Last word of the European Parliament on the tobacco products directive

Today, the plenary of the European Parliament has voted on the text of the revised directive on the manufacture, presentation and sale of tobacco and related products. The Members of the European Parliament (MEPs) have accepted the compromise reached last December by the rapporteur of the directive in the European Parliament, Mrs McAvan MEP, with the then Lithuanian Presidency of the Council of the EU. No further amendments were proposed and therefore the Council has now only to formally adopt a text with the following main novelties.

- **Combined health warnings** (text and pictures) will have to cover 65% of the front and back of tobacco products packages and they have to be placed on the top: currently these warnings are smaller, placed on the bottom and, in some Member States, there is no obligation to use them (only ten Member States use graphic warnings).
- Cigarette **packs** will be in a cuboid shape and contain at least 20 cigarettes. Bevelled and rounded edges are allowed, as well as some form of flexibility for smaller cigarette packages and for shoulder packs. More flexibility is foreseen for on roll-your-own tobacco packages that must contain at least 30g of tobacco, but cylinders and stand-up pouches are allowed.
- **Slim** cigarettes will continue to be allowed on the market, but slim or fancy packages will not.
- Any Member State that wants to go further as regards packaging (for instance the United Kingdom and Ireland on **plain packing**) will be able to do so.
- All **flavours** will be banned immediately after the entry into force of the directive for cigarettes and roll-your-own tobacco. Menthol will be progressively phased-out and the ban will take effect from 2020. Flavoured water-pipe tobacco will still be allowed, but the Commission will have to undergo a study on its use by young people.
- **Additives** that are carcinogenic, mutagenic or reprotoxic in unburnt form will be prohibited, sugar is specifically mentioned as being allowed in the tobacco production.
- **Electronic cigarettes** can be made available on the market either as a medicine (when they claim to have health benefits, they will be regulated by the medicinal products legislation) or as a consumer product subject to the provisions of this directive as regards warnings, maximum nicotine strength, pre-market notification system in line with novel products and maximum size for cartridges, refillable tanks and e-liquid bottles, and the same EU advertising bans as for tobacco. Flavourings are permitted and will be subject to national and not EU law. If three or more Member States decide to ban e-cigarettes, the European Commission may consider an EU-wide action.
- **Snus** remains on the market, but only in Sweden. It is exempt from flavourings ban and all other ingredients regulation, Sweden remains responsible for regulating the content.
- **Cross-border sales** are allowed, but Member States are free to ban them.

As representatives of patients with allergy, asthma and chronic obstructive pulmonary disease (COPD), we are very concerned about tobacco use and marketing in Europe and the effects it has on the health of its citizens. Tobacco is a major source of nuisance and exacerbation for these people, leading to social and occupational exclusion as well as unnecessary illness. In particular, the World Health Organisation (WHO) estimates that tobacco smoke is the primary cause of COPD in developed countries. Lifelong smokers have a 50% probability of developing COPD during their lifetime while there is also evidence that the risk of developing COPD falls by about half with smoking cessation. Research shows that smoking and exposure to second hand smoke is a major factor in provoking allergic responses among babies and young children. Concerning asthma, smoking is also associated with a higher degree of severity, the worsening of symptoms, increased hospital admissions, accelerated decline in lung function, limited short-term responses to medicines and poorer asthma control.¹

Tobacco remains the main cause of preventable deaths and diseases, causing 700,000 deaths every year in the European Union. The European Parliament today, by adopting this fundamental piece of legislation before next elections that take place in May, made a meaningful difference for the next generation of European citizens by protecting more of Europe's children from taking up the deadly habit of smoking. The long-term objective, as reiterated several times by WHO, should be to create a future free of tobacco-caused deaths and diseases.

After having being delayed for long-time, the legislative process of the tobacco products directive started in December 2012 when the Commission proposed to repeal the current directive on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products to face several market, scientific and international developments and to eliminate weakness, gaps and loopholes of existing rules. Throughout this year and a half, and even before via the response to the public consultation on the possible revision options, EFA has been advocating for the promotion of public health in Europe and the enhancement of rights of patients with asthma, allergy and COPD. We will now follow-up and encourage strict implementation, in collaboration with our members and partners.

Interesting documents:

- Current directive 2001/37/EC, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:194:0026:0034:EN:PDF>
- Original European Commission proposal, http://ec.europa.eu/health/tobacco/docs/com_2012_788_en.pdf
- Text adopted by the European Parliament today, http://www.europarl.europa.eu/meetdocs/2009_2014/documents/envi/dv/p7_ama%282013%290276%28000-000%29_p7_ama%282013%290276%28000-000%29_en.pdf
- EFA advocacy activities, <http://www.efanet.org/eu-policy/efas-activities-in-eu-policy/>

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¹ EFA position paper, <http://www.efanet.org/wp-content/uploads/2013/07/TPD-position-July.pdf>.

The European Federation of Allergy and Airways Diseases Patients' Associations (EFA) is a non-profit network of allergy, asthma and chronic obstructive pulmonary diseases (COPD) patients organisations, representing 35 national associations in 22 countries and over 400,000 patients. EFA is dedicated to making Europe a place where people with allergies, asthma and COPD have the right to best quality of care and safe environment, live uncompromised lives and are actively involved in all decisions influencing their health. Visit www.efanet.org for more information.



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