



To: Members of the ENVI Committee

**Re: ENVI vote on the draft report of Mrs. McAvan MEP on the tobacco products directive & perspective of patients with respiratory diseases**

Brussels, the 8<sup>th</sup> of July 2013

Dear Member of the ENVI Committee,

On the 10<sup>th</sup> of July, you will be voting on the draft report on the proposal for a directive of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products – [2012/0366\(COD\)](#) – *rapporteur* Mrs. McAvan MEP.

As a representative of patients with allergy, asthma and chronic obstructive pulmonary disease (COPD), we are very much concerned about tobacco use and marketing in Europe and the effects it has on citizens' health. Tobacco is a major source of nuisance and exacerbation for people with asthma, allergy and COPD. In particular, the World Health Organisation (WHO) estimates that tobacco smoke is the primary cause of **COPD** in developed countries.<sup>1</sup> Lifelong smokers have a 50% probability of developing COPD during their lifetime; along the same line, there is also evidence that the risk of developing COPD falls by about half with smoking cessation.<sup>2</sup> Research shows that smoking and exposure to second hand smoke is a major factor in provoking **allergic** responses by babies and young children.<sup>3</sup> Smoking in **asthma** is associated with a higher degree of asthma severity, worsening of symptoms, increased hospital admissions, accelerated decline in lung function, limited short-term responses to medicines and poorer asthma control.<sup>4</sup>

We welcomed the [Commission proposal](#) and the subsequent draft report of the *rapporteur* at the European Parliament as a unique opportunity for the European Union to strengthen its legislative environment with regard to tobacco products and for the EU and the Member States to fulfil their international obligations under the Framework Convention on Tobacco Control (FCTC). However, we would like to draw your attention to and ask for your support on a number of important amendments that would significantly strengthen the document.

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<sup>1</sup> WHO, *COPD factsheet*, November 2012, available at: <http://www.who.int/mediacentre/factsheets/fs315/en/>.

<sup>2</sup> Laniado-Laborin L., *Smoking and Chronic Obstructive Pulmonary Disease (COPD). Parallel Epidemics of the 21<sup>st</sup> Century*, in International Journal of Environmental Research and Public Health, 2009.

<sup>3</sup> Kulig M., Luck W., Lau S., Niggemann B., Bergmann R., Klettke U., Guggenmoos-Holzmann I., Wahn U., *Effect of pre- and post-natal tobacco smoke exposure on specific sensitisation to food and inhalant allergens during the first years of life*, in Allergy, March 1999. Halken S., *Prevention of allergic disease in childhood: clinical and epidemiological aspects of primary and secondary prevention*, in Pediatric Allergy Immunology, June 2004.

<sup>4</sup> Thomson N. C., Chaudhuri R., Livingston E., *Asthma and cigarettes smoking*, in European Respiratory Journal, November 2004. Fattahi F., Hylkema M. N., Melgert B. N., Timens W., Postma D. S., ten Hacken N.H., *Smoking and nonsmoking asthma: differences in clinical outcome and pathogenesis*, in Expert Review of Respiratory Medicine, February 2011. Polosa R., Thomson N. C., *Smoking and asthma: dangerous liaison*, in European Respiratory Journal, August 2012.

### **Support public health concern**

We are extremely concerned about the opinions that have emanated from other European Parliament Committees. As a member of the ENVI Committee, your priority is the health of all citizens of the EU. Tobacco is a proven carcinogen and its use has negative consequences especially for vulnerable groups, such as children and patients whose rights need to be protected.

**Support compromise amendments 7, 10, 26, 29, 32, 41, 43, 56, 65 & amendments 75, 116, 10, 16**

### **Support the introduction of plain standardised packaging**

Packaging is the main marketing channel tobacco producers use to attract and retain users. Plain standardised packaging (harmonising the size and shape of tobacco packages, removing attractive colours and standardising the branding) is proven to reduce the appeal of tobacco to children and young people and to reinforce the health warning messages. Contrary to the tobacco industry claims, standardised packaging is compatible with EU and international law. It is easily implementable, does not cost any money to governments and works for public health.

**Support compromise amendments 51, 61 & amendments 5, 154, 33, 35, 36**

### **Support mandatory combined health warnings covering 75% of the front and back of tobacco products packages**

Graphic warnings are more effective than text-only messages and increasing the size of these messages enhances the effectiveness of the warning. Moreover, pictorial warnings covering 75% of the front and the back of the pack **have NOT been legally challenged anywhere in the world.**

**Support compromise amendments 34, 39**

**Reject compromise amendment 38, amendments 651-676, 685-718, 724-732, 733-754**

### **Support the ban on flavourings**

The tobacco industry uses certain flavourings in the manufacturing of tobacco products in order to make them more palatable, decrease the irritation they cause and increase their smoothness and attractiveness, as well as to create the misleading impression that they are less harmful.

**Support compromise amendment 33**

### **Support the ban on slim cigarettes**

Slim cigarettes are misleading (the consumers of “slims” perceive them as less harmful than regular cigarettes) and directly marketed to young women.

**Support compromise amendment 46**

### **Support the ban on oral tobacco products**

Snus like all tobacco products is addictive and presents hazards to health. While it is a traditional product in Sweden, the rest of Member States are not familiar with it, so we urge you to maintain the status quo on snus – allow it in Sweden but not introduce it on the EU market.

**Support compromise amendment 54**

**Reject amendments 169, 170, 171, 249, 250**

### **Support the strengthening of the traceability and security features of tobacco packs**

Illicit trade is a considerable burden in terms of tax loss and the availability of cheaper tobacco products that evade tax and duties. Traceability and identification features of tobacco packs are ones of the most effective measures Member States can use to tackle this problem.

**Support compromise amendments 11, 52**

**Support the [ban on online sales of tobacco products](#)**

The ban on online sale and free distribution of products will protect EU consumers (children and young people in particular) from the consequences of easily accessible, harmful products.

**Support compromise amendments 14, 25, 55 & amendments 63, 9, 603, 1109**

**Support the [regulation of e-cigarettes](#)**

Over the last few years an array of new nicotine containing products has been developed. These products should be seen as the other nicotine replacement treatments and need to be properly regulated for ensuring appropriate safeguards in terms of quality, safety and efficacy.

**Support compromise amendment 15 & amendments 296, 1250**

For all references and additional information, please check EFA's position paper available on our website at: <http://www.efanet.org/wp-content/uploads/2013/06/EFA-position-on-TPD.pdf>.

We urge you to take the above-mentioned concerns into account for your vote in July. We thank you in advance for your availability and support.

Yours sincerely,



Breda Flood

EFA President

The European Federation of Allergy and Airways Diseases Patients' Associations (EFA) is a non-profit network of allergy, asthma and 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.

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