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Cc:

Subject: Tobacco Directive : ENVI Committee vote follow-up

Attachments:

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Dear Member of the European Parliament,

As the largest producer of cigarette papers in the world and a key player in the production of reconstituted tobacco, SWM has been willing to contribute positively and on a technical level to the debate on the consideration of the Directive 2012/0366 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.

In written and by meeting MEPs involved in the procedure in the lead ENVI and in the opinion Committees, SWM has shared its technical expertise and called for the introduction of two types of improvements to the Commission's proposal:

Article 2.1.18 on the definition of reconstituted tobacco

- **The ENVI Committee did not adopt a definition of reconstituted tobacco, leaving a legal loophole in the EU legislation.**
- The introduction of a legal definition of reconstituted tobacco would ensure **that all the reconstitution techniques existing on the market are governed by identical rules** that are compliant with the objectives of the European Parliament as regards public health.
- To avoid unfair competition between operators, a clear definition must be introduced to **guarantee a level playing field for all economic operators in the internal market.**

Article 6.5 on technical features

- By simply banning the use of technical features, the Commission's proposal as well as the ENVI final report **prevent from innovating into specific technical features that contribute to decreasing**

some harmful components of smoke or to increasing the biodegradability of filters.

- Making a distinction for these technical features is a non-controversial point, based on common sense. A ban of all technical features go against the objective of the proposal aiming at reducing toxicity of tobacco products.

As a result to these constructive exchanges, SWM welcomes the outcomes of the votes in **all the opinion Committees which indicated a wide and non-controversial support to these positive technical amendments, introduced on articles 2 and 6.5 in all these Committees.**

Given this unanimous support in all the opinion Committees, **SWM is extremely surprised and disappointed by the rejection of these amendments in the ENVI Committee.** We regret that the ENVI Committee did not take into consideration the strong signal sent by the opinion Committees. SWM deplores that its positions have been considered as part of the lobby of the tobacco industry while they are strictly not controversial, purely technical and legal.

Therefore, in this sensitive context and in the light of the Plenary vote in September, SWM calls on you to take a global view to our positions, outside any political consideration. SWM believes that a dispassionate discussion on these technical and legal provisions can still happen and hopes for your attentive listening.

As you are aware, a new deadline for amendments is open until 4 September and will give the possibility to MEPs to balance the outcomes of the ENVI vote by reintroducing amendments supported by the opinion Committees. Also, in the perspective of the trilogues, the European Commission could be warned on the legal and technical inconsistencies of the report.

I remain at your disposal for a meeting or a call at your best convenience, should you have any additional question.

With best regards,

Philippe Ragot

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