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EU tobacco rules

Bitter-sweet outcome as new EU law takes step forward

The European Parliament and Council last night reached agreement on proposals to revise EU legislation on tobacco products (1). The Greens gave a muted welcome to the agreement, as it is a clear improvement over the current situation, but regret that it falls behind the original Commission proposal. Commenting on the outcome, Green public health spokesperson **Carl Schlyter** stated:

“The final agreement reached today is a bitter-sweet end to this controversial legislative process. While it is a step forward for EU efforts to tackle the enormous social and health problems of tobacco products, it falls short of what was originally proposed and international best practice. With smoking the number one killer in the EU – leading to 700,000 premature deaths a year – strong rules are vital for EU citizens and public health but also for taxpayers, who foot the bill for these avoidable illnesses.

“The agreement includes new combined health warnings including picture warnings 65% of pack size, to be placed at the top edge of the pack. Thankfully, the final agreement also maintains core provisions aimed at preventing youth addiction to tobacco products, notably a ban on all characterising flavours, including menthol. Unfortunately, the ban on menthol will be delayed for 4 years but, given its role in targeting youth addiction, it is crucial that this will end.

“While it is very regrettable that EU governments categorically refused to adopt an authorisation approach for additives as voted by the EP, we managed to include reinforced testing requirements for the most commonly used and most problematic tobacco additives. This will hopefully be a first step in ruling out additives that contribute to the carcinogenic properties of tobacco smoke.

"E-cigarettes will finally be regulated in the near future. Member states will be free to decide whether they want to subject them to authorisation as medicines or apply new rules that should ensure the quality and safety of these products. Either way should ensure that e-cigarettes can be used safely to help smokers stop smoking, and not act as a gateway product for non-smokers. As the new rules do not regulate the use of flavours in e-cigarettes, it is important that member states that will not apply pharma legislation act quickly to ban the current range of flavours that deliberately target younger users.

"While today's outcome is a clear improvement over the status quo, it is very regrettable that the lobbying of the tobacco industry was successful in reducing the original ambition. Clearly, we should be aiming for plain packaging and the clarification that front-running member states, like Ireland, can push ahead individually on this is very welcome.”

(1) The deal is expected to be confirmed in COREPER tomorrow and will then be voted on in the European Parliament in spring next year.

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