EUROPEAN COMMISSION

HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL

Directorate C - Public Health and Risk Assessment

C6 - Health measures

Brussels,

SANCO C6//JB/ub / D(2006) 360022

Summary information

4th Meeting of the REGULATORY COMMITTEE established under Article 10 of the Tobacco Products Directive 2001/37/EC

Brussels, 20 September 2005

PARTICIPANTS

Commission Services

Participants

Commission services:

Ms Thea Emmerling	DG SANCO C/6 Chair of the Committee
Mr J Brodersen	DG SANCO C/6
Mr A Maunu	DG SANCO C/6

Committee members

Austria	(Ministry of Health and Women)
Belgium	(Ministry of Health)
Cyprus	(Ministry of Health)
Czech Republic	(Ministry of Industry and Trade)
Denmark	(Ministra of the Interior and Health)
Estonia	(Ministra of Social Affairs)
Finland	(Ministry of Social Affairs and Health)
France	(Ministry of Health)
Germany	(Ministry for Consumer Protection)
Hungary	(Ministry of Economy and Transport)
Italy	(Ministry of Health)
Ireland	(Department of Health&Children)
Latvia	(Ministry of Health)
Lithuania	(Ministry of Economy)
Malta	(Ministry of Health)
Netherlands	(Ministry of Health)
Poland	(Ministry of Health)
Portugal	(Ministry of Health)
Slovenia	(Ministry of Health)
Spain	(Ministry of Health)
Sweden	(National Institute of Public Health)
United Kingdom	(Department of Health)

Absent: Greece Luxembourg Slovakia

Summary Information

4th Meeting of the REGULATORY COMMITTEE established under Article 10 of the Tobacco Products Directive 2001/37/EC

Brussels, 20 September 2005

1 Welcome

2 Adoption of the agenda

3 First Report on the Application of the Tobacco Products Directive

- 3.1 Explanation by the Commission
- 3.2 Member States Tour de table
- 3.3 Follow up
- 3.4 Colour photographs

4 The Campaign

5 Smoke free: an Up-date of actions undertaken by MS

- 5.1 Member States up dating on their experience and/or intended actions

6 Any other business

- 6.1 FCTC

7 Close of the meeting

Tobacco Products Regulatory Committee

20 September 2005

Summery Report

The Regulatory Committee established under Article 10 of 2001/37/EC of the European Parliament and of the Council was convened on 20 September 2005 by the Chair of Ms Thea Emmerling, Deputy Head of Unit, Sanco C6. The topics for the discussion were mainly the First Report on the application of the tobacco products directive. Other items are mentioned in the agenda.

All Member States were present at the meeting with the exception of Greece, Luxembourg and Slovakia.

All MS welcomed the report and were supportive of its findings. MS unanimously agreed that submission of data on tobacco ingredients should be harmonised and simplified across the EU. It was agreed to set up 2 working group: one on laboratory cooperation and one on data reporting.

1 Welcome

The Commission explained the new structure and division of work in the field of tobacco control in the Commission.

No conflicts of interests according to art 12.2 of the Rules of Procedures (RoP) were signalled.

2 Adoption of the agenda

The draft agenda was adopted without modifications.

3 First Report on the Application of the Tobacco Products Directive

3.1 Explanation by the Commission

The Commission presented the first report on the application of the tobacco products directive.

3.2 Member States Tour de table

All Member States welcomed the report and were supportive to its findings.

More specific discussions focussed around laboratories and ingredients reporting

Laboratories (Art. 4 of the directive)

MS raised mainly the following questions:

- Approval of laboratories that are involved in yield measurement and testing?
- Independence of these laboratories?
- Mutual recognition of test results?

- Sharing of laboratory capacity?
- Are the thresholds for tar, nicotine and CO set by the directive averages or maximum values?

Ingredients (Art.6 and 12 of the directive)

In general, Member States said that consumer interest in ingredient data is high.

Very broad support was achieved that data submitted according to Art 6.1 needs not be identical with the data published according to article 6.2, but that public health concerns must have priority over trade secret concerns.

Some contributions highlighted the need for further data analysis, but also reminded the resource implications linked to a systematic approach of evaluating ingredients. Questions arising in this context were: What are possibilities of work sharing in the EU and beyond ? Would the FCTC process be fast and reliable enough?

Some Member States rejected the idea of any common positive list. The EU should instead concentrate on a more limited list of especially toxic ingredients or on those that make cigarettes specifically attractive to minors/ women.

The Commission informed that the preliminary analysis of data received from MS under Article 6.2 showed no uniform implementation and a plethora of reporting systems, a variety of technical formats as well as parallel submission of data and toxicological reports.

Unanimity was achieved in that that submission of data by industry should be harmonised and simplified across the EU.

Oral tobacco/snus: One delegation **expressed disappointment that oral tobacco was not included in the report and** announced that new studies on the effects of snus will be available this autumn from the Swedish national institute of Public health and from IARC. Several other delegations explicitly insisted on keeping the ban on snus . The Commission promised it will put Oral tobacco/snus to its independent Scientific Committee on Emerging and Newly Identified Health Threats.

Harm-reduced tobacco products: No conclusion was reached, as the information base is not yet sufficient. Active exchange of information on this issue is encouraged.

Low ignition propensity cigarettes: Some countries showed interest and information was provided about the status of the file in the Commission.

3.3 Follow up

In order to address the questions raised in the tour de table mainly on ingredients and laboratory cooperation, the Commission suggested, as a first step, to set up two working

groups according to Article 7 of the RoP of the Regulatory Committee. One should focus on laboratory cooperation, the other on ingredients reporting. The working groups should draft proposals for solving the questions that should then be discussed in the Regulatory Committee meeting next year.

The Committee unanimously approved this suggestion.

3.4 Colour photographs

The Commission informed that the legal question around their application had been cleared. Current work aims at providing guidelines for non-standard formats of cigarette packages which will have to be approved by this committee by written procedure.

Several MS confirmed their interest to introduce pictorial warnings.

Some MS saw potential for new health warnings (blindness/ Quit web sites). The Commission acknowledged that warnings are especially effective when they are new and that the additional warnings could be approved by regulatory committee procedure. However, at the moment the focus should be on the introduction of pictorial warnings rather than on their change. This could be addressed at a later stage.

4 The Campaign

The Commission informed about the constitutive elements and the progress achieved in the Union´s anti-tobacco campaign. MS requested tighter and earlier contacts from Commission towards health ministries.

The Commission promised to look into this in order to better meet MS requirements for the campaign next year's campaign.

5 Smoke free environments: an up-date of actions undertaken by MS

5.1 Member States up dating on their experience and/or intended actions

Detailed information on the national state of play was given by participants, confirming that widespread action concerning smoke free environments was underway and that a rising number of MS introduce increasingly strict bans. Overall experience of MS having introduced strict national smoking ban, is positive and was well supported by the public. There is no proof of negative economic consequences. It was highlighted that a comprehensive and strict ban is the easiest to police.

All Member States agreed that supportive action by the Commission in the form of a communication/ green paper on smoke-free environments would bolster national efforts and thus be very helpful to them.

6 Any other business

6.1 FCTC

The Commission informed that the Union had deposited its instrument of ratification end of June 2005 and that the Union will participate at the first Conference of the Parties in February 2006 as a full party and debriefed on the state of preparation.

7 Close of the meeting

The Chair thanked the participants for a useful meeting and the active contributions.

Chair of the Committee

signed

Thea Emmerling