



EFFAT

EUROPEAN FEDERATION OF FOOD, AGRICULTURE AND TOURISM TRADE UNIONS

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EFFAT reply to the European Commission's Green Paper "Towards a Europe free from tobacco smoke: policy options at EU level"

Question 1:

Which of the two approaches suggested in Section IV would be more desirable in terms of its scope for smoke-free initiative: a total ban on smoking in all enclosed public spaces and workplaces or a ban with exemptions granted to selected categories of venues? Please indicate the reason(s) for your choice.

EFFAT¹ considers that any proposal on smoking-free environment should aim at excluding the exposure from non-smokers to environmental tobacco smoking, while allowing those who wish to smoke to do so in appropriate conditions.

Considering developments in a number of Member States and abroad, Option 2 "Smoke Free Regulations with Exemptions" appears to be the most relevant approach. These exemptions would be limited specific areas designed in such ways (isolated and ventilated) that non-smokers would not be exposed at all to "second-hand smoke". With the inclusion of exemptions, this new smoke-free initiative would appear as more proportionate and would allow the HORECA and leisure sectors to adapt themselves more easily to the new context.

Question 2:

Which of the policy options described in Section V would be the most desirable and appropriate for promoting smoke-free environments? What form of EU intervention do you consider necessary to achieve the smoke-free objectives?

EFFAT considers that the principle of subsidiarity should apply to rules on smoking in public places and in workplaces and that a European legislation on this matter is not the most appropriate tool.

Debates on the smoke-free environment took and are taking place in most of Member States and many have already adopted legislation. Based on the assessment of the problems and the best solutions to be taken, these legislations vary greatly from a country to another. Therefore there is no need of Community legislation to achieve the objective of smoke free environment as it is already addressed by the Member States.

¹ EFFAT is the European Federation of Trade Unions in the Food, Agriculture and Tourism sectors. Representing 119 national trade unions from 37 European countries, EFFAT defends the interests of more than 2 600 000 members. As a recognised European social partner, it has a successful social dialogue with European employers' organisations under way in, among others, the agriculture, sugar, hotel & restaurant and contract catering sectors.

However, the European Union should encourage the social partners to deal with this issue at the workplace and to take the necessary initiatives to resolve and prevent the problem of passive smoking in companies. Agreements between local stakeholders would better take into account the real local requirements (premises, views and needs of non-smokers) and would provide for arrangements suitable for all the workers concerned. It could be up to BUSINESSEUROPE, CEEP and ETUC to conclude an agreement on minimum standards and recommendations on environmental tobacco smoking in the framework of the Article 138 of the Treaty.

Moreover, similarly to the work done in the area of diet and physical activity, the Commission has a role to play, through the set-up of a platform, helping the civil society and economic operators and representatives of national, European and international institutions to meet together, identifying best practices and positive initiatives and encouraging stakeholders to adopt proactive attitudes.

This is why EFFAT considers Option 2 “voluntary measures” as the best policy option amongst the different policy options proposed.

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