

# Statement of the Committee on Health and Welfare 2012/13:SoU17

## Annex 2

### Reasoned opinion of the Riksdag

The Commission's proposal 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 (COM (2012) 788 final), as presented in the Statement of the Committee on Health and Social Affairs (2012/13:SoU17), has been examined on the basis of the application of the principle of subsidiarity.

The ban on distributing and selling oral tobacco on the common European market in other member states besides Sweden has been retained in the Commission's revised proposal for a directive (Article 15).

The tobacco products directive should apply to tobacco products that are sold freely on the common European market. In view of this, the Riksdag considers that regulation of oral tobacco should be a national concern, and that the directive should therefore not comprise oral tobacco.

The Riksdag therefore considers that the said parts of the Commission's proposal as it is currently worded conflict with the principle of subsidiarity.

As regards other parts of the proposal, the Riksdag does not consider that they conflict with the principle of subsidiarity.