



EUROPEAN COMMISSION

*Brussels, 16. 7. 2013
C(2013) 4292 final*

Dear President,

The Commission would like to thank the Riksdag for its Reasoned Opinion on the Proposal for a directive of the European Parliament and of the Council 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} and apologises for the delay in replying.

The Commission would like to make the following remarks.

The Riksdag considers that the regulation of oral tobacco should be a national competence and should not fall within the scope of the proposal. The Commission would like to point out that the Swedish exemption as set out in its Accession Treaty only relates to the placing on the market of oral tobacco. Therefore, all other EU provisions including the current Tobacco Products Directive apply to oral tobacco. Concretely this means that oral tobacco must comply with the provisions on labelling (health warnings) and ingredients reporting of the current Tobacco Products Directive. The same principle applies to the proposed Directive, oral tobacco will need to comply with relevant provisions including those on health warnings and characterising flavours.

This approach is not only compatible with the Accession Treaty, it is also justified from an internal market point of view taking into account that all tobacco products potentially attractive to young people should be subjected to the same rules. The proposed Directive seeks to ensure that Tobacco products look and taste like tobacco throughout the EU, so as to discourage young people from taking up tobacco use. This also follows from the guidelines for implementing Article 9 and 10 of the WHO Framework Convention on Tobacco Control, which have been adopted by the EU and all its Member States including Sweden.

The Commission hopes that these clarifications address the comments and concerns raised by the Riksdag and looks forward to continuing our constructive political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

*Mr Per WESTERBERG
President of the Riksdag
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