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Comments by HOTREC to the

Green Paper
Towards a Europe free from tobacco smoke:
Policy options at EU level
COM (2007) 27 final

HOTREC\(^1\) thanks DG SANCO for giving it the opportunity to express its views on this Green Paper, issued in January 2007.

Since years, the member associations of HOTREC have been sharing the concerns of the European and national authorities in relation to the health damages caused by active and passive smoking, with regard to both its employees and its consumers. However, they consider that smoking rules should closely reflect the attitude and demands of society vis-à-vis smoking and evolve in parallel with these.

HOTREC and its member associations are of the opinion that the questions raised in “Section VI – Concluding remarks, p.20” of the Green Paper are in the wrong order:

The first question should be the current question 2 and it should be formulated as follows: “Is EU intervention necessary?”

To this question, in view of the recent multi-fold developments in all EU countries relating to the smoking/non-smoking issue – which are acknowledged by the Green Paper itself, “Section III. 1, p. 9” – HOTREC and its member associations are of the strong opinion that any intervention at EU level is not only superfluous but would also intervene in an inappropriate manner with national legislation and/or voluntary initiatives taken at national level. Starting from this premiss, there is no need to discuss the option between total bans or bans with exemptions.

According to Article 152 of the Treaties, the Commission should only promote actions to complement national policies and not impose obligations on enterprises.

Therefore, we suggest that the European Commission opt for the “status quo” solution which it itself has proposed as an alternative in “Section V. 1, p. 16” of the Green Paper.

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\(^1\) HOTREC represents the hotel, restaurant and café sector at European level. This sector counts 1.4 million businesses and provides some 8 million jobs in the EU alone. HOTREC brings together 39 National Trade and Employer Associations representing the interest of the sector in 24 different European countries.
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