



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY
Health systems and products
Substances of human origin and Tobacco control

Brussels, 27 April 2015

MEETING WITH STAKEHOLDERS ON LABELLING OF TOBACCO PRODUCTS

SUMMARY RECORD

Date: 27 April 2015

Place: CCAB-1B

Background

The meeting was organised on the initiative of DG SANTE unit D4 to present the state-of-play for the secondary legislation on labelling and packaging that the Commission plans to adopt under the Tobacco Products Directive 2014/40/EU and to gather feedback from stakeholders, in particular concerning:

- The precise position of general warnings and information messages on roll-your-own (RYO) pouches (Art 9.6)
- Technical specifications for the layout, design and shape of combined health warnings (Art 10.4)

Introduction

DG SANTE welcomed the participants and thanked them for their input and assistance to the contractors on labelling and packaging. DG SANTE underlined that the purpose of the meeting was not to discuss the legality or the interpretation of the Directive in the light of the ongoing court cases. Thereafter the contractors gave their presentation consisting of four parts:

- 1) Overview of the most common or representative smoked tobacco packages on the EU market
- 2) Options for the position of the general warning and information message on RYO tobacco in pouches;
- 3) The layout, design and shape of the combined health warning; and
- 4) First reflections on the positioning of combined health warnings on various tobacco packages.

It was noted that all visuals were based on the situation after expiry of the transitional regime for tax stamps. It was pointed out that in many cases the size of tax stamps will need to be reduced.

General comments

Many stakeholders requested that the implementing acts be adopted as soon as possible to assist with timely compliance with the Directive. The packaging sector and others raised the issue of possible delays in producing new packaging complying with the new warnings if the implementing legislation is not adopted soon. The printing industry also stressed that other industries may be affected by the high demand for print cylinders for tobacco packaging over a short period of time.

DG SANTE explained that the purpose of the meeting was information sharing to allow stakeholders to continue with their preparations. DG SANTE stressed that the timely adoption of the relevant implementing acts is a central objective also for DG SANTE. The adoption of both legislative acts (labelling and packaging) is expected in Q4 of 2015 at the latest.

An indicative timetable was published in December 2014 and was updated in February 2015. DG SANTE also pointed out that national transposition efforts should not be delayed due to the work on implementing measures. DG SANTE mentioned that all essential elements can be found in the Directive itself.

Discussion Points:

1) Overview of smoked tobacco packages on the EU market

Some stakeholders asked whether the list of tobacco packages shown by the contractor is exhaustive and only pack shapes in the list may be used in future. DG SANTE clarified that the list is not exhaustive, but that the requirements of the Directive need to be respected.

2) Options for the positions of the general warning and information message on RYO tobacco in pouches

For standing pouches and flat-bottom pouches for RYO, respectively one option was presented. For wraparound pouches for RYO, two options were presented. According to DG SANTE some industry representatives had raised – vis-à-vis the contractor - the issue of ink migration when printing on the inside of pouches. Stakeholders also raised the issue that printing on the inside of the pouch would mean that certain materials could no longer be used. Stakeholders indicated that they would reflect further on the above issues. DG SANTE granted an additional period for comments until 4 May, mentioning that the issues had already been discussed between the industry and the contractor. As follow up to the meeting, some stakeholders came back with varying estimates of the actual costs and cost increases for printing on the inside of pouches.

3) The layout, design and shape of the combined health warning

DG SANTE presented the ideas for the design/layout of the combined health warnings. There were no specific comments raised in the meeting. Stakeholders were given until 4 May for sending comments in writing. Stakeholders indicated that the technical specifications must be communicated as soon as possible. According to the printing and packaging industries, the main difficulty relates to engraving cylinders on time.

Stakeholders called upon DG SANTE to request that Member States make decisions on matters that need to be decided on national level (eg cessation information or combined health warnings for tobacco products other than cigarettes and RYO tobacco). DG SANTE invited stakeholders to list the issues, for which clarification is sought, by 11 May and offered to communicate these issues to Member States.

Stakeholders were asked whether combined health warnings can be given as illustrator files. Some stakeholders supported the idea. Others asked for time to reflect. The deadline of 4 May was agreed.

4) First reflections on the guidance for the positioning of combined health warning

The contractors emphasized that the proposals on the positioning are preliminary reflections taking into account the 25 commonly used or representative package types presented under 1. The contractor explained that their original overview of 40 package shapes had been reduced to the most relevant shapes and this overview had been shared with industry by email. These 25 pack types were chosen as a representative sample (including common and potentially more problematic shapes), which could also allow for extrapolation to other pack shapes. The contractor noted that stakeholders had indicated that the eight different pack types presented for cigars and cigarillos only represented a limited sample of the enormous variety of cigar and cigarillo package shapes, and this was clearly a more complex category.

Some stakeholders raised concerns that the extension of the flap on both flat bottom and wraparound pouches to accommodate 65% combined health warnings would cost more, in particular for SMEs. DG SANTE underlined that the requirements of the main Directive must be respected.

Stakeholders also expressed some concerns regarding the positioning of the combined health warnings before transitional period for countries with tax stamps expires. DG SANTE indicated that this issue falls into national competence and suggested that it should be raised with Member States.

Conclusions

DG SANTE thanked stakeholders for their input and asked them to submit any additional input on the first three sections of the presentation by 4 May 2015. For the final section, comments should be sent by 11 May 2015. A bilateral meeting will be held with the cigar/cigarillo industry as well as the pipe industry to discuss their specific concerns.

Annex I

List of participants

Stakeholders:

Amcor Tobacco Packaging	Peter Konieczny
Arnold André GmbH & Co	Rainer Göhner
BAT Germany	Johannes Steinbrecher
Benkert Group	Bastian Benkert
Bulgartabac Holding	Lora Eduard Klein
Bundesverband der Zigarrenindustrie	Bodo Mehrlein
CECCM	Antonella Pederiva
	Cynthia Fürste
Cimabel	Pierre Durinck
Dannemann/Ritmeester cigars	Max Leenheers
Deutscher Zigarettenverband	Matthias Heddenhausen
Dunhill Cigars and Pipe Tobacco	Richard Fifer
EFPA	Catharina Trierenberg
ESTA	Peter van der Mark
	Vlad Olteanu
European Carton Makers Association	Jerzy Czubak
European Cigar Manufacturers Association	Maria Angeles Martinez-Pastor
FECIBEL	Roger Brems
FETABEL	Koen Roelstraete
Flandria Tobaccos	Koen Dehoorne
Heintz Van Landewyck	John Foesenek
Hoffmann Neopac	Tomáš Pivko
Imperial Tobacco	Alessandro Tschirkov
	Dries Maebe
J.CORTES CIGARS	Frederik Vandermarliere
Joh. Wilh. von Eicken	Oliver Wrede
	Marc von Eicken
JT International	Michiel Reerink
	Andrzej Mrozek
KARELIA TOBACCO	Poulopoulou Stavroula
Mac Baren	Shanna Storm
Manifatture Sigaro Toscano	Pierfrancesco Saccotelli
Mayr-Melnhof Karton	Andreas Blaschke
Mesa del Tabaco	Juan Páramo
Multi Packaging Solutions	Ian Peterkin
NOVAPRINT	François Elvinger
Oettinger Davidoff	Scott Birtwistle
Philip Morris International	Andrea Gontkovicova
Pöschl Tabak	Patrick Engels
PROMOCIGAR	Gema Hidalgo

Royal Agio Cigars	Koen van Hooft
Scandinavian Tobacco Group	Bob van Mierlo
Schur Flexible Benelux	Torsten Murra
Technical Development Corporation	Jeroen Slobbe
Tobacco Manufacturers' Association	Paul Stockall
Tobaksindustrien	Jens Hennild
Tor Imports	Sott Vines
Verband der deutschen Rauchtobakindustrie	Franz Peter Marx
Vrijdag Premium Printing	H.S. Nota
Weidenhammer Packaging Group	Mike Ridgway

Contractors:

Butcher & Gundersen	Sarah Capper (Teasdale)
	Zafeiria Dougekou
VVA-Europe	Pierre Hausemer

Commission:

DG SANTE D4	Dominik Schnichels (chair)
	Isabel Holmquist
	Anna-Eva Ampelas
	Katja Bromen
	Anette Laulajainen