



EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL
Health systems and products
D.4 Substances of human origin and Tobacco control

MEETING with NGOs

Summary record

Meeting date: 6 November 2015, 10.00 – 12:00
BRUSSELS

(1) Welcome and Introduction

DG SANTE welcomed the participants, who were representatives of various NGOs active in the field of tobacco control. The Chair explained the purpose of the meeting was to update the representatives on the ongoing TPD implementation work being undertaken by the Commission, share with them what the current priorities are and provide an opportunity for the representatives to update on their ongoing work and priorities.

(2) Commission work on implementation

The Chair explained that the current top priority of DG SANTE is overseeing the implementation work for the new TPD, ahead of the transposition deadline of 20 May 2016, and a presentation was given on the various tasks that this involves. These include adoption of secondary legislation in the fields of *packaging and labelling* (2 implementing acts, setting technical specifications for the layout of combined health warnings on packs and the position of the health warnings on roll-your-own tobacco in pouches), of *ingredients* (2 implementing acts, to establish an EU panel to determine characterising flavours in tobacco products and to establish a common format for reporting of tobacco ingredients) of *e-cigarettes* (2 implementing acts, to establish a common format for notification of e-cigarettes and to lay down technical specifications for e-cigarette refill mechanisms, as well as a report on risks to public health associated with refillable e-cigarettes) and *tracking and tracing* (to lay down technical standards for the tracking and tracing system and security feature system, amongst other aspects). Aside from tracking and tracing, which has a longer transposition period, all of the tasks in the above areas are planned for adoption before 20 May 2016. DG SANTE reported that good progress is being made: the 2 acts for packaging and labelling were adopted ahead of schedule and the acts establishing common reporting and notification formats are due soon (*they have since been adopted). The others will follow in 2016.

Following a question from one participant there was some discussion on the subject of heat-not-burn products. DG SANTE said that it is following their development.. A question was asked on what should be regarded as a substantial modification to e-cigarette products. DG SANTE said that this is being discussed with Member States who will transpose the TPD.

(3) Ratification of the FCTC Protocol on Illicit Trade

A representative of DG OLAF gave a presentation on the progress on EU ratification of the FCTC Protocol on Illicit Trade. He explained that ratification is the current top priority for the Commission in this area, as it will be a major step forward in the fight against illicit trade in the EU and globally. Good progress is being made: discussions are ongoing in Council and a political agreement is expected in the near future, at which point it will formally pass to the European Parliament for consent. If a positive opinion is given, the Protocol will be concluded by Council on behalf of the EU. Member States need to ratify individually.. In addition to this the Commission is continuing to encourage others, including EU Member States, to begin their ratification processes.

Regarding the Protocol, one participant said that the choice of system under the TPD secondary legislation on tracking and tracing will be crucial. DG SANTE said that the development of this system by the EU will provide an opportunity for it to become a model for others to follow, if it is implemented correctly. Participants agreed.

DG SANTE suggested that if participants are willing, it may be useful to create a working group on this issue, ahead of the next COP, and to support the COP Expert Group on this subject. One participant stressed that whether or not the Commission will be renewing its current agreements with the tobacco industry will be crucial for the EU's future work on FCTC.]

(4) Update on current NGO work and priorities

The NGO representatives present were asked to provide updates on their current work. Some of the main focuses include supporting, by various means, the implementation of the TPD, including by targeted support at national level; focusing on issues related to tobacco taxation; raising awareness regarding the implementation of Article 5.3 FCTC relating to tobacco industry interference in policy making; and work on the CAP in areas related to subsidies for tobacco growers. Some representatives suggested they could share certain studies relating to e-cigarettes, which DG SANTE said would be very welcome.

(5) Conclusions

DG SANTE thanked participants for the interesting meeting and for the exchange. The Chair said that the time from adoption of the TPD to the transposition deadline next May is an extremely busy one for all involved. Nevertheless, thinking on what should follow this phase should also begin, and we have already witnessed some developments – such as the introduction of plain packaging by some MS.

List of Participants

EFA - European federation of Allergy
and Airways Diseases Patients'
Association

EPHA - European Public Health
Alliance

ECL - Association of European Cancer
Leagues

EHN - European Heart Network

Smoke Free Partnership

ERS - European Respiratory Society

Commission services

Mr Dominik Schnichels	DG SANTE D4 (Chair)
Ms Anna Eva Ampelas	DG SANTE D4
MS Katja Broman	DG SANTE D4
Mr Filip Borkowski	DG SANTE D4
Ms Isabel Holmquist	DG SANTE D4
Ms Marta Legnaioli	DG SANTE D4
Ms Patricia Murray	DG SANTE D4
Mr Emmanouil Daskalakis	DG SANTE D4
Mr Georg Roebling	DG OLAF
Ms Maria Pastor	DG OLAF