

Indicative Implementation Plan (up to 2016) - Tobacco Products Directive

No	Legal base: Article of the TPD (2014/40/EU)	Type of Commission measure	Topic	Indicative target date for adoption / publication	Milestones: Including involvement of Member States and stakeholders
1.	Article 5(5)	Implementing act	Revised reporting format for ingredients and emissions	Adopted on 25/11/2015	<ul style="list-style-type: none"> <li>• Commission Implementing Decision (EU) 2015/2186 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D2186&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D2186&amp;from=EN</a>)</li> <li>• Final report of the external study published here: <a href="http://ec.europa.eu/health/tobacco/docs/reportingformat_dataingredients_en.pdf">http://ec.europa.eu/health/tobacco/docs/reportingformat_dataingredients_en.pdf</a></li> </ul>
2.	Article 6(1)	Implementing act	Priority list of additives	Adopted on 18/05/2016	<ul style="list-style-type: none"> <li>• Commission Implementing Decision (EU) 2016/787 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0787&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0787&amp;from=EN</a>)</li> <li>• SCENIHR Final opinion adopted on 25 January 2016: <a href="http://ec.europa.eu/health/scientificcommittees/emerging/docs/scenihr_o_051.pdf">http://ec.europa.eu/health/scientificcommittees/emerging/docs/scenihr_o_051.pdf</a></li> <li>• SCHEER Final opinion adopted on 16 December 2016 (methodologies): <a href="https://ec.europa.eu/health/sites/health/files/scientificcommittees/scheer/docs/scheer_o_001.pdf">https://ec.europa.eu/health/sites/health/files/scientificcommittees/scheer/docs/scheer_o_001.pdf</a></li> <li>• Final report of the external study published here: <a href="https://ec.europa.eu/health/sites/health/files/tobacco/docs/evidence_ingredients_tobacco_products_en.pdf">https://ec.europa.eu/health/sites/health/files/tobacco/docs/evidence_ingredients_tobacco_products_en.pdf</a></li> </ul>

3.	Article 7(3) and (4)	Implementing acts	Uniform rules for the procedures for determining characterizing flavours + Procedures for the operation and establishment for the independent advisory panel	Adopted on 18/05/2016	<ul style="list-style-type: none"> <li>• Commission Implementing Regulation (EU) 2016/779 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0779&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0779&amp;from=EN</a>)</li> <li>• Commission Implementing Decision (EU) 2016/786 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0786&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0786&amp;from=EN</a>)</li> <li>• Final report of the external study published here: <a href="http://ec.europa.eu/health/tobacco/docs/hetoc_frep_en.pdf">http://ec.europa.eu/health/tobacco/docs/hetoc_frep_en.pdf</a></li> </ul>
4.	Article 9(6)	Implementing act	Positioning of the health warnings for roll-your-own	Adopted on 24/09/2015	<ul style="list-style-type: none"> <li>• Commission Implementing Decision (EU) 2015/1735 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2015_252_R_0016">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2015_252_R_0016</a>)</li> <li>• Final report of the external study published here: <a href="http://ec.europa.eu/health/tobacco/docs/specifications_warning_tobaccopackages_en.pdf">http://ec.europa.eu/health/tobacco/docs/specifications_warning_tobaccopackages_en.pdf</a></li> </ul>
5.	Article 10(3)(a)	Implementing act	Alignment of transposition deadlines for text and picture warnings	Adopted 13/07/2015	<ul style="list-style-type: none"> <li>• Commission Directive (EU) 2015/1139 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1444661264678&amp;uri=CELEX:32015L1139">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1444661264678&amp;uri=CELEX:32015L1139</a>)</li> </ul>

6.	Article 10(3)(b) / Article 9(2) of Directive 2001/37/EC	Delegated act	New library of warning pictures	Adopted 10/10/2014	<ul style="list-style-type: none"> <li>Commission Delegated Directive 2014/109/EU (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1418817762056&amp;uri=OJ:JOL 2014 360 R 0007">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1418817762056&amp;uri=OJ:JOL 2014 360 R 0007</a>)</li> </ul>
7.	Article 10(4)	Implementing act	Technical specifications for layout, design and shape of health warnings	Adopted 09/10/2015	<ul style="list-style-type: none"> <li>Commission Implementing Decision (EU) 2015/1842 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1444810873600&amp;uri=OJ:JOL 2015 267 R 0003">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1444810873600&amp;uri=OJ:JOL 2015 267 R 0003</a>)</li> <li>Technical files made available to Member States in October 2015</li> <li>Final report of the external study published here: <a href="http://ec.europa.eu/health/tobacco/docs/specifications_warning_tobaccopackages_en.pdf">http://ec.europa.eu/health/tobacco/docs/specifications_warning_tobaccopackages_en.pdf</a></li> </ul>
8.	Article 15(11)(a) and (b)	Implementing act	Technical standards for tracking and tracing system + compatibility	Adopted 15/12/2017	<ul style="list-style-type: none"> <li>Feasibility Study published here: <a href="http://ec.europa.eu/health/sites/health/files/tobacco/docs/2015_tpd_tracking_tracing_frep_en.pdf">http://ec.europa.eu/health/sites/health/files/tobacco/docs/2015_tpd_tracking_tracing_frep_en.pdf</a></li> <li>Stakeholder involvement (started Q1 2014)</li> <li>Targeted stakeholder consultation of the Feasibility Study (consultation period: 7/05/2015 to 31/07/2015): <a href="http://ec.europa.eu/health/tobacco/consultations/2015_tpd_consultation_en">http://ec.europa.eu/health/tobacco/consultations/2015_tpd_consultation_en</a></li> <li>Inception Impact Assessment (published in June 2016): <a href="http://ec.europa.eu/smart-regulation/roadmaps/docs/2015_sante_694_695_696_ia_da_tpd_en.pdf">http://ec.europa.eu/smart-regulation/roadmaps/docs/2015_sante_694_695_696_ia_da_tpd_en.pdf</a></li> <li>Public consultation (consultation period: 29/07/2016 to 04/11/2016): <a href="http://ec.europa.eu/health/tobacco/consultations/2016_traceability_security_features_en">http://ec.europa.eu/health/tobacco/consultations/2016_traceability_security_features_en</a></li> <li>Stakeholder workshops (on 12/12/2016 and 15/05/2017): <a href="http://ec.europa.eu/health/tobacco/events_en">http://ec.europa.eu/health/tobacco/events_en</a></li> </ul>
9.	Article 15(12)	Delegated act	Definition of key elements of data storage contracts		<ul style="list-style-type: none"> <li>Ongoing Implementation Study (started in June 2016)</li> <li>Consultation of the Member States</li> <li>Adoption by the Commission</li> </ul>
10.	Article 16(2)	Implementing act	Technical standards for security features and their possible rotation		

11.	Article 20(10)	Report	Potential health risks to public health from refillable electronic cigarettes	Adopted on 20/05/2016	<ul style="list-style-type: none"> <li>• Commission report COM/2016/0269 final (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=COM:2016:269:FIN&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=COM:2016:269:FIN&amp;from=EN</a> )</li> <li>• Final report of the external study published here: <a href="http://ec.europa.eu/health/tobacco/docs/potentialrisks_specs_refillableecigarettes.pdf">http://ec.europa.eu/health/tobacco/docs/potentialrisks_specs_refillableecigarettes.pdf</a></li> </ul>
12.	Article 20(13)	Implementing act	Technical standards for the refill mechanism for electronic cigarettes	Adopted on 14/04/2016	<ul style="list-style-type: none"> <li>• Commission Implementing Decision (EU) 2016/586 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.101.01.0015.01.ENG&amp;toc=OJ:L:2016:101:TOC">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.101.01.0015.01.ENG&amp;toc=OJ:L:2016:101:TOC</a>)</li> <li>• Final report of the external study published here: <a href="http://ec.europa.eu/health/tobacco/docs/potentialrisks_specs_refillableecigarettes.pdf">http://ec.europa.eu/health/tobacco/docs/potentialrisks_specs_refillableecigarettes.pdf</a></li> </ul>
13.	Article 20(13)	Implementing act	Reporting format for electronic cigarettes	Adopted on 24/11/2015	<ul style="list-style-type: none"> <li>• Commission Implementing Decision (EU) 2015/2183 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D2183&amp;qid=1448548787711&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D2183&amp;qid=1448548787711&amp;from=EN</a>)</li> <li>• Final report of the external study published here: <a href="http://ec.europa.eu/health/tobacco/docs/reportingformat_dataingredients_en.pdf">http://ec.europa.eu/health/tobacco/docs/reportingformat_dataingredients_en.pdf</a></li> </ul>

<sup>1</sup> This table has been updated at regular intervals.

NB: This table includes the most important delegated and implementing tasks for the Commission that were planned to be adopted up to 2017. The table is by no means exhaustive and more tasks might be added.