

4.9.2013

A7-0276/106

**Amendment 106**

**Peter Liese**

on behalf of the PPE Group

**Report**

**A7-0276/2013**

**Linda McAvan**

Manufacture, presentation and sale of tobacco and related products  
COM(2012)0788 – C7-0420/2012 – 2012/0366(COD)

**Proposal for a directive  
Article 13 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. A cigarette packet can be of carton or soft material and shall not contain an opening that can be re-closed or re-sealed after the opening is first opened, other than the flip-top lid. The flip-top lid of a cigarette packet shall be hinged only at the back of the packet.** *deleted*

Or. en

*Justification*

*Manufacturers ought, as hitherto, to be allowed a certain flexibility with regard to the form to be taken by packaging.*

4.9.2013

A7-0276/107

**Amendment 107**

**Peter Liese**

on behalf of the PPE Group

**Report**

**A7-0276/2013**

**Linda McAvan**

Manufacture, presentation and sale of tobacco and related products  
COM(2012)0788 – C7-0420/2012 – 2012/0366(COD)

**Proposal for a directive**  
**Article 13 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

***4. The Commission shall be empowered to adopt delegated acts in accordance with Article 22 to make either cuboid or cylindric shape mandatory for unit packets of tobacco products other than cigarettes and roll-your-own tobacco if there is a substantial change of circumstances as established in a Commission report.*** ***deleted***

Or. en

4.9.2013

A7-0276/108

**Amendment 108**

**Peter Liese**

on behalf of the PPE Group

**Report**

**A7-0276/2013**

**Linda McAvan**

Manufacture, presentation and sale of tobacco and related products  
COM(2012)0788 – C7-0420/2012 – 2012/0366(COD)

**Proposal for a directive**

**Article 14 – paragraph 10**

*Text proposed by the Commission*

*Amendment*

10. Tobacco products other than cigarettes and roll-your-own tobacco shall be exempted from the application of paragraph 1 to 8 during a period of **5** years following the date referred to in paragraph 1 of Article 25.

10. Tobacco products other than cigarettes and roll-your-own tobacco shall be exempted from the application of paragraph 1 to 8 during a period of **7** years following the date referred to in paragraph 1 of Article 25.

Or. en

*Justification*

*More time for SMEs to implement the tracking and tracing system.*

4.9.2013

A7-0276/109

**Amendment 109**

**Corien Wortmann-Kool**  
on behalf of the PPE Group

**Report**

**A7-0276/2013**

**Linda McAvan**

Manufacture, presentation and sale of tobacco and related products  
COM(2012)0788 – C7-0420/2012 – 2012/0366(COD)

**Proposal for a directive**  
**Article 18**

*Text proposed by the Commission*

*Amendment*

*Article 18*

*deleted*

*Nicotine-containing products*

*1. The following nicotine-containing products may only be placed on the market if they were authorised pursuant to Directive 2001/83/EC:*

*(a) products with a nicotine level exceeding 2 mg per unit, or*

*(b) products with a nicotine concentration exceeding 4 mg per ml or*

*(c) products whose intended use results in a mean maximum peak plasma concentration exceeding 4 ng of nicotine per ml.*

*2. The Commission shall be empowered to adopt delegated acts in accordance with Article 22 to update the nicotine quantities set out in paragraph 1 taking into account scientific developments and marketing authorisations granted to nicotine- containing products pursuant to Directive 2001/83/EC.*

*3. Each unit packet and any outside packaging of nicotine-containing products below the thresholds set out in paragraph 1 shall carry the following health warning:*

*This product contains nicotine and can damage your health.*

*4. The health warning referred to in paragraph 3 shall comply with the requirements specified in Article 10(4). In addition, it shall:*

*(a) be printed on the two largest surfaces of the unit packet and any outside packaging;*

*(b) cover 30 % of the external area of the corresponding surface of the unit packet and any outside packaging. That proportion shall be increased to 32 % for Member States with two official languages and 35 % for Member States with three official languages.*

*5. The Commission shall be empowered to adopt delegated acts in accordance with Article 22 to adapt the requirements in paragraphs 3 and 4 taking into account scientific and market developments and to adopt and adapt the position, format, layout, design and rotation of the health warnings.*

Or. en

4.9.2013

A7-0276/110

**Amendment 110**

**Corien Wortmann-Kool**  
on behalf of the PPE Group

**Report**

**A7-0276/2013**

**Linda McAvan**

Manufacture, presentation and sale of tobacco and related products  
COM(2012)0788 – C7-0420/2012 – 2012/0366(COD)

**Proposal for a directive**  
**Article 18 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 18 a*

*Nicotine-containing products*

*1. Nicotine-containing products may only be placed on the market in accordance with the provisions for tobacco products as laid out in this Directive. Member States shall ensure that nicotine-containing products comply with all relevant EU legislation.*

*2. Nicotine-containing products that are presented as having properties for treating or preventing disease may only be placed on the market if they were authorised pursuant to Directive 2001/83/EC.*

*3. For all nicotine-containing products notified in accordance with the procedure set out in Article 18(1), Member States shall ensure that:*

*(a) the product is clearly labelled with the nicotine content, instructions for use, instructions for reporting adverse reactions, and details of the manufacturer;*

*(b) each unit packet and any outside packaging shall carry the following health warning:*

*"This product is intended for use by existing smokers above the legal smoking age as an alternative to tobacco products. It contains nicotine which is a highly addictive substance. Consult your doctor if you are pregnant, breast feeding, allergic to nicotine or propylene glycol, or have high blood pressure.";*

*(c) the sale of the product shall be restricted in line with the legal age for sale of tobacco products in the relevant Member State; in any case it should not be allowed under the age of 18;*

*(d) the products shall be available to be sold outside pharmacies;*

*4. The health warning referred to in paragraph 3 shall comply with the requirements specified in Article 10. In addition, it shall:*

*(a) be printed on the two largest surfaces of the unit packet and any outside packaging;*

*(b) cover 30 % of the external area of the corresponding surface of the unit packet and any outside packaging. That proportion shall be increased to 32 % for Member States with two official languages and 35 % for Member States with more than two official languages.*

*5. Member States shall monitor the development of the nicotine-containing products market, including any progress made in harm reduction, as well as any evidence of gateway use amongst young people. Based on the evidence, the Commission shall report back to the European Parliament and the Council five years after the transposition date of this Directive. The report shall assess whether amendments to this Directive are necessary.*

*6. The Commission shall request an opinion from the Scientific Committee on Emerging and Newly Identified Health*

*Risks (SCENIHR) within 24 months of the entry into force of the Directive in order to obtain reliable scientific and toxicological data to determine the health effects of the main ingredients of electronic cigarettes as well as suggestions for potential measures to regulate this tobacco-related product.*

r. en