

WRITTEN QUESTION E-0422/05
by Christopher Huhne (ALDE)
to the Commission

Subject: Tobacco advertising and sponsorship

1. Further to the Commission's response to Written Question E-3394/04, will the Commission please clarify the meaning of Recital 12 of Directive 2003/33/EC¹? Will the Commission give an outline and example of what it defines as 'indirect advertising'? Will it also state whether this will have implications for the sale of tobacco and tobacco products via the internet (particularly as this is a cross-border issue)?
2. Does the Commission consider that the listing (by a brand name and/or a picture when giving the price) of tobacco or of a tobacco product on a website for sale constitutes a form of indirect advertising?
3. Will companies that sell tobacco and tobacco products via the internet (using the method outlined in the previous question) have to cease trading because of the Commission's reference to 'cross-border effects' (which has clear implications for the use of the internet) and/or because it is seen as a form of 'indirect advertising'?
4. With regard to the Commission's response to Written Question E-3394/04, what does the Commission mean by 'the sectors of business principally affected by the proposal would be the manufacturers of tobacco products and traders of such products'? Does the Commission mean that its impact assessment highlighted the fact that traders (i.e. sellers) of tobacco and tobacco products will be adversely affected? Given the broad scope of the Directive, does the Commission believe that it will affect all traders of tobacco and tobacco products, irrespective of the size of the company?

¹ OJ L 152, 20.6.2003, p. 16.