

**Question for written answer E-007948/2013
to the Commission**
Rule 117
Sophocles Sophocleous (S&D)

Subject: Cross-border distance sales of tobacco products

The impact assessment by the Commission of the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products concludes that the incentive for cross-border online sales lies 1) in the lower price charged for contraband or counterfeit products or 2) in the illegal exploitation of the differences in the tax laws of the Member States. This is distorting competition, because both traditional retailers and persons established in Member States with high tax rates face competition from (mostly) illegal online retailers who make it much easier for minors to obtain cigarettes. Most tobacco products sold online do not carry the mandatory health warnings and other information required on their composition and, at the same time, it is impossible to check the age of consumers/customers.

The European Commission has proposed a new framework for cross-border distance sales in keeping with Directive 2000/31/EC and Directive 97/7/EC, which is to replace Directive 2011/83/EU.

However, would it not be better to ban cross-border distance sales of tobacco products in accordance with the World Health Organisation Framework Convention on Tobacco Control, as they make it easy for young people to obtain tobacco products and may undermine compliance with the requirements of the present directive?

As regards the distribution of free tobacco products via online retail shops and in public spaces, which is taking place in several Member States, should it not be banned, given that it is directed at young people and may attract new smokers? What are the Commission's comments?