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Answer given by Mr Gentiloni
on behalf of the European Commission
(10.2.2020)

The Commission cooperates closely with the Member States to disseminate, maintain and promote the “Nomenclature statistique des Activités économiques dans la Communauté Européenne” (Statistical classification of economic activities in the European Community) – NACE classification¹) – and the Commission will continuously assess the relevance of NACE, and take the appropriate initiatives depending on the scope of adaptations considered necessary.

As the Commission pointed out in its reply to written question P-002492/2019, the fact that NACE Rev. 2 does not explicitly mention a particular economic activity, such as “electronic cigarettes”, does not preclude this economic activity being covered by NACE.

In accordance with Article 20(7) of the Tobacco Products Directive², Member States require manufacturers and importers of electronic cigarettes and refill containers to annually submit comprehensive data on sales volumes, as well as market trend data and other information to the competent authorities. Furthermore, Commission Implementing Decision (2015/2183)³ establishes a common format for the notification of electronic cigarettes and refill containers.

The Commission has various data sources and continuously monitors market and scientific developments on various products, including electronic cigarettes. It also exchanges information on these products with Member States at relevant expert⁴ and sub-group⁵ meetings. As foreseen in Article 28 of the Tobacco Products Directive, the Commission will present an implementation report by May 2021 which will look at market developments, use patterns and the impact on cessation efforts of electronic cigarettes.

¹ Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains Text with EEA relevance OJ L 393, 30.12.2006, p. 1–39.

² Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC Text with EEA relevance OJ L 127, 29.4.2014, p. 1–38.

³ Commission Implementing Decision (EU) 2015/2183 of 24 November 2015 establishing a common format for the notification of electronic cigarettes and refill containers OJ L 309, 26.11.2015, p. 15–27.

⁴ https://ec.europa.eu/health/sites/health/files/tobacco/docs/ev_20191015_sr_en.pdf

⁵ https://ec.europa.eu/health/sites/health/files/tobacco/docs/ev_20190507_sr_en.pdf