

**Priority question for written answer P-000151/2024
to the Commission**
Rule 138
Peter Lundgren (ECR)

Subject: The Commission extending its power to adopt delegated acts

On 17 August 2023, the Commission published a report on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Directive 2014/40/EU 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. This report is required under Article 27(2) of the Tobacco Products Directive¹, which confers the power on the Commission to adopt delegated acts for a period of five years from 19 May 2014.

Given that the Commission has only adopted a limited number of delegated acts since 2014 and that the report states that the preconditions to exercise the other delegated powers 'have not been met in the current 5-year period', I would ask the following:

1. Does this report signal that the Commission's delegated powers have not been exhausted and that the second phase of the Tobacco Products Directive remains relevant, or does it believe that the preconditions to exercise delegated powers could be met in the near future?
2. Why is the Commission seeking an extension of its power to adopt delegated acts, given the ongoing evaluation of the legislative framework for tobacco control?
3. How would such an extension remain relevant under these circumstances?

Submitted: 18.1.2024

¹ 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, OJ L 127, 29.4.2014, p. 1.