(23) In order to ensure the integrity and the visibility of health warnings and maximise their efficacy, provisions should be made regarding the dimension of the warnings as well as regarding certain aspects of the appearance of the tobacco package, including the opening mechanism. The package and the products may mislead consumers, in particular young people, suggesting that products are less harmful. For instance, this is the case with certain texts or features, such as ‘low-tar’, ‘light’, ‘ultra-light’, ‘mild’, ‘natural’, ‘organic’, ‘without additives’, ‘without flavours’, ‘slim’, names, pictures, and figurative or other signs. Likewise, the size and appearance of individual cigarettes can mislead consumers by creating the impression that they are less harmful. A recent study has also shown that smokers of slim cigarettes were more likely to believe that their own brand might be less harmful. This should be addressed.

Or. en
Amendment 89
Peter Liese
on behalf of the PPE Group

Report
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 3 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to delete
adopt delegated acts in accordance with
Article 22 to adapt the maximum yields
laid down in paragraph 1, taking into
account scientific development and
internationally agreed standards.

Or. en
Amendment 90
Peter Liese
on behalf of the PPE Group

Report
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 3 – paragraph 3

Text proposed by the Commission

Article 3 – paragraph 3

3. Member States shall notify the Commission of the maximum yields that they set for other emissions of cigarettes and for emissions of tobacco products other than cigarettes. Taking into account internationally agreed standards, where available, and based on scientific evidence and on the yields notified by Member States, the Commission shall be empowered to adopt delegated acts in accordance with Article 22 to adopt and adapt maximum yields for other emissions of cigarettes and for emissions of tobacco products other than cigarettes that increase in an appreciable manner the toxic or addictive effect of tobacco products beyond the threshold of toxicity and addictiveness stemming from the yields of tar, nicotine and carbon monoxide fixed in paragraph 1.

Amendment

3. Member States shall notify the Commission of the maximum yields that they set for other emissions of cigarettes and for emissions of tobacco products other than cigarettes. Taking into account internationally agreed standards, where available, and based on scientific evidence and on the yields notified by Member States, the Commission shall be empowered to adopt delegated acts in accordance with Article 22 to adopt and adapt maximum yields for other emissions of cigarettes and for emissions of tobacco products other than cigarettes that increase in an appreciable manner the toxic or addictive effect of tobacco products beyond the threshold of toxicity and addictiveness stemming from the yields of tar, nicotine and carbon monoxide fixed in paragraph 1.

deleted

Or. en
AMendment 91
Peter Liese
on behalf of the PPE Group

Report
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 5 – paragraph 1 – subparagraph 1

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Member States shall require manufacturers and importers of tobacco products to submit to their competent authorities a list of all ingredients, and quantities thereof, used in the manufacture of the tobacco products by brand name and type, as well as their emissions and yields. Manufacturers or importers shall also inform the competent authorities of the concerned Member States if the composition of a product is modified affecting the information provided under this Article. Information required under this Article shall be submitted prior to the placing of the market of a new or modified tobacco product.</td>
<td>1. Member States shall require manufacturers and importers of tobacco products to submit to their competent authorities a list of all ingredients, and quantities thereof, used in the manufacture of the tobacco products by brand name and type, as well as their emissions and yields resulting from intended use. Manufacturers or importers shall also inform the competent authorities of the concerned Member States if the composition of a product is modified affecting the information provided under this Article. Information required under this Article shall be submitted prior to the placing of the market of a new or modified tobacco product.</td>
</tr>
</tbody>
</table>

Or. en
4.9.2013 A7-0276/92

Amendment 92
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 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The list shall be accompanied by a statement setting out the reasons for the inclusion of such ingredients in those tobacco products. The list shall indicate their status, including whether the ingredients have been registered under Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as well as their classification under Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures. The list shall also be accompanied by the toxicological data available to the manufacturer or importer regarding these ingredients in burnt or unburnt form as appropriate, and that is at least sufficient to classify those substances pursuant to Regulation (EC) No 1272/2008, referring in particular to their effects on health of consumers and taking into account, inter alia, any addictive effects. The list shall be established in descending order of the weight of each ingredient included in the product. Other than for tar, nicotine and carbon monoxide and for emissions referred to in Article 4 paragraph 4, the manufacturers and importers shall indicate the measurement methods used. Member

Amendment

The list shall be accompanied by a statement setting out the reasons for the inclusion of such ingredients in those tobacco products. The list shall indicate their status, including whether the ingredients have been registered under Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as well as their classification under Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures. The list shall also be accompanied by the toxicological data available to the manufacturer or importer regarding these ingredients in burnt or unburnt form as appropriate, and that is at least sufficient to classify those substances pursuant to Regulation (EC) No 1272/2008, referring in particular to their effects on health of consumers and taking into account, inter alia, any addictive effects. The list shall be established in descending order of the weight of each ingredient included in the product. Other than for tar, nicotine and carbon monoxide and for emissions referred to in Article 4
States may also require manufacturers or importers to carry out other tests as may be laid down by the competent national authorities in order to assess the effects of substances on health, taking into account, inter alia, their addictiveness and toxicity. Paragraph 4, the manufacturers and importers shall indicate the measurement methods used. Member States may also require manufacturers or importers to carry out other tests as may be laid down by the competent national authorities in order to assess the effects of substances on health, taking into account, inter alia, their addictiveness and toxicity.

Or. en

Justification

"as appropriate" added to adopted text in ENVI. To publish toxicological data of e.g. burnt filters is disproportionate as filters are not burnt when smoking cigarettes.
Amendment 93
Peter Liese
on behalf of the PPE Group

Report
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 6 – paragraph 1 a (new)

Text proposed by the Commission

1a. The following additives may not be approved:
(a) additives that are, in an unburned state, themselves carcinogenic, mutagenic or reprotoxic.

Amendment

Or. en

Justification

If this amendment is adopted point (a) would replace Article 6(1)(d) in Amendment 50. When consolidated with Amendment 50, point (a) of this amendment would become point (d) of Article 6(1).
Amendment 94
Peter Liese
on behalf of the PPE Group

Report
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 6 – paragraph 10 a (new)

Text proposed by the Commission

10a. The Commission shall be empowered to adopt delegated acts in accordance with Article 22 to change Annex [I] in order to withdraw the approval of any additive listed therein if new scientific evidence gives reason that the additive no longer meets the requirements set out in this article.

Amendment

Or. en

Justification

Revocation clause: If new scientific evidence shows that a tobacco additive on the Union list does no longer meet the requirements set out in article 6, the Commission should be able to remove an additive from the Union list.
Amendment 95
Peter Liese
on behalf of the PPE Group

Report
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 6 – paragraph 10 b (new)

Text proposed by the Commission

10b. The use of menthol in all its commercial forms known on the date of publication of this directive shall be exempted from the application of Article 6 for a period of 5 years from the date referred to in Article 25(1).

Amendment

Or. en

Justification

The transitional period for the positive list is already 3 years. With adding 5 years, tobacco industry can use menthol for 8 years after the entry into force of this directive.
4.9.2013

Amendment 96
Peter Liese
on behalf of the PPE Group

Report
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 8 – paragraph 4 – point b

Text proposed by the Commission

(b) to define the position, format, layout and design of the health warnings laid down in this Article, including their font type and background colour.

Amendment

deleted

Or. en