Amendment 116
Giancarlo Scottà
on behalf of the EFD 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
Recital 33

Text proposed by the Commission

(33) Nicotine-containing products are sold on the Union market. The different regulatory approaches taken by Member States to address health and safety concerns associated with these products have a negative impact on the functioning of the internal market, in particular considering that these products are subject to significant cross-border distance sales including via the internet.

Amendment

deleted

Or. en
4.9.2013

Amendment 117
Giancarlo Scattà
on behalf of the EFD 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
Recital 33

Text proposed by the Commission

(33) Nicotine-containing products are sold on the Union market. The different regulatory approaches taken by Member States to address health and safety concerns associated with these products have a negative impact on the functioning of the internal market, in particular considering that these products are subject to significant cross-border distance sales including via the internet.

Amendment

(33) Nicotine-containing products are sold on the Union market. The different regulatory approaches taken by Member States to address health and safety concerns associated with these products have a negative impact on the functioning of the internal market, in particular considering that these products are subject to significant cross-border distance sales including via the internet. Nicotine-containing products can help existing smokers to quit smoking tobacco products and should therefore be as available on the Union market as tobacco products. At the same time nicotine-containing products should comply with specific rules on their safety, marketing and labelling.

Or. en
4.9.2013
A7-0276/118

Amendment 118
Giancarlo Scottà
on behalf of the EFD 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
Recital 34

Text proposed by the Commission

(34) Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use provides a legal framework to assess the quality, safety and efficacy of medicinal products including nicotine containing products. A significant number of nicotine-containing products were already authorised under this regulatory regime. The authorisation takes into account the nicotine content of the product in question. Subjecting all nicotine-containing products, whose nicotine content equals or exceeds the content of a nicotine containing product previously authorised under Directive 2001/83/EC, to the same legal framework clarifies the legal situation, levels out differences between national legislations, ensures equal treatment of all nicotine containing products usable for smoking cessation purposes and creates incentives for research and innovation in smoking cessation. This should be without prejudice to the application of Directive 2001/83/EC to other products covered by this Directive if the conditions set by Directive 2001/83/EC are fulfilled.

Amendment

deleted

Or. en
### Proposal for a directive

**Recital 35**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(35) Labelling provisions should be introduced for nicotine containing products <strong>below the threshold set out in this</strong> Directive drawing the attention of consumers to potential health risks.</td>
<td>(35) Labelling provisions should be introduced for nicotine containing products <strong>falling outside the scope of Directive 2001/83/EC</strong> drawing the attention of consumers to potential health risks.</td>
</tr>
</tbody>
</table>

Or. en
Amendment 120
Giancarlo Scottà
on behalf of the EFD 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 9 – paragraph 1 – point e

Text proposed by the Commission
(e) be positioned at the *top* edge of the unit packet and any outside packaging, and in the same direction as any other information appearing on the packaging;

Amendment
(e) be positioned at the *bottom* edge of the unit packet and any outside packaging, and in the same direction as any other information appearing on the packaging;

Or. en
2. Prohibited elements and features may include but are not limited to texts, symbols, names, trade marks, figurative or other signs, misleading colours, inserts or other additional material such as adhesive labels, stickers, onserts, scratch-offs and sleeves or relate to the shape of the tobacco product itself. *Cigarettes with a diameter of less than 7.5 mm shall be deemed to be misleading.*