Amendment 171
Paul Nuttall
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 6 – paragraph 10

Text proposed by the Commission

10. Tobacco products other than cigarettes, roll-your-own tobacco and smokeless tobacco products shall be exempted from the prohibitions laid down in paragraphs 1 and 5. The Commission shall be empowered to adopt delegated acts in accordance with Article 22 to withdraw this exemption if there is a substantial change of circumstances as established in a Commission report.

Amendment

10. Tobacco products other than cigarettes, roll-your-own tobacco and smokeless tobacco products shall be exempted from the prohibitions laid down in paragraphs 1 and 5.

Or. en

Justification

The Commission should refer substantive changes on this point back to the European Parliament in respect of the democratic process.
Empirical evidence shows that the public are greatly helped in giving up cigarettes by these increasing popular products. Big pharma should not be allowed to medicalise a useful and affordable self-help product. Big tobacco should not be allowed to unfairly use EU legislation to eliminate a proper and consumer-led form of competition. The consumer is king, not the state.
2.10.2013  A7-0276/173

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Proposal for a directive  
Article 8 – paragraph 3

**Text proposed by the Commission**

3. For cigarette packets the general warning and the information message shall be printed on the lateral sides of the unit packets. *These warnings shall have a width of not less than 20 mm and a height of not less than 43 mm.* For roll-your-own tobacco the information message shall be printed on the surface that becomes visible when opening the unit packet. Both the general warning and the information message shall cover 50% of the surface on which they are printed.

**Amendment**

3. For cigarette packets the general warning and the information message shall be printed on the lateral sides of the unit packets. For roll-your-own tobacco the information message shall be printed on the surface that becomes visible when opening the unit packet. Both the general warning and the information message shall cover 50% of the surface on which they are printed.

**Or. en**

**Justification**

*This supports smaller health warnings as people find these offensive.*
1. Member States shall require that manufacturers and importers of tobacco products notify the competent authorities of Member States of any novel tobacco product they intend to place on the markets of the Member States concerned. The notification shall be submitted in electronic form six months before the intended placing on the market and shall be accompanied by a detailed description of the product in question as well as information on ingredients and emissions in accordance with Article 5. The manufacturers and importers notifying a novel tobacco product shall also provide the competent authorities in question with:

(a) available scientific studies on toxicity, addictiveness and attractiveness of the product, in particular as regards its ingredients and emissions;

(b) available studies and market research on preferences of various consumer groups, including young people and

(c) other available and relevant information, including a risk/benefit analysis of the product, the expected

Notification of novel tobacco products

and granting of pre-marketing authorisation for reduced-risk tobacco products

1. Member States shall require that manufacturers and importers of tobacco products notify the competent authorities of Member States of any novel tobacco product they intend to place on the markets of the Member States concerned. The notification shall be submitted in electronic form six months before the intended placing on the market and shall be accompanied by a detailed description of the product in question as well as information on ingredients and emissions in accordance with Article 5. The manufacturers and importers notifying a novel tobacco product shall also provide the competent authorities in question with:

(a) available scientific studies on toxicity, addictiveness and attractiveness of the product, in particular as regards its ingredients and emissions;

(b) available studies and market research on preferences of various consumer groups, including young people and

(c) other available and relevant information, including a risk/benefit analysis of the product, the expected
effects on cessation of tobacco consumption, the expected effects on initiation of tobacco consumption and other predicted consumer perception.

2. Member States shall require that manufacturers and importers of tobacco products inform their competent authorities of any new or updated information referred to in point (a) to (c) of paragraph 1. Member States shall be entitled to require tobacco manufacturers or importers to carry out additional tests or submit additional information. Member States shall make available to the Commission all information received pursuant to this Article. Member States shall be entitled to introduce an authorisation system and charge a proportionate fee.

3. Novel and reduced-risk tobacco products placed on the market shall respect the requirements set out in this Directive. The provisions applicable depend on whether the products fall under the definition of smokeless tobacco product in point (29) of Article 2 or tobacco for smoking in point (33) of Article 2.

In connection with the placing on the market of reduced-risk tobacco products, Member States shall be entitled to introduce an authorisation system and charge a proportionate fee. Member States shall be entitled to lay down specific rules for reduced-risk products governing consumer information, packaging and labelling, ingredients and emissions, methods used to measure tar, nicotine and carbon monoxide, which may differ from the requirements of this Directive. Member States shall notify those rules to the Commission.

3. Novel tobacco products placed on the market shall respect the requirements set out in this Directive. Reduced-risk tobacco products shall be covered by special provisions laid down by Member States under paragraph 2. The provisions applicable depend on whether the products fall under the definition of smokeless tobacco product in point (29) of Article 2 or tobacco for smoking in point (33) of Article 2.