Recital 32 a (new)

Text proposed by the Commission

(32a) The lack of a harmonised approach on display bans at point of sale affects the functioning of the internal market. The guidelines on Article 13 FCTC consider that the display of tobacco products at points of sale is a key means of promoting tobacco products and tobacco use, including by stimulating impulse purchases of tobacco products, giving the impression that tobacco use is socially acceptable and making it harder for tobacco users to quit. Young people are particularly vulnerable to the promotional effects of product display. In accordance with the FCTC guidelines, Parties should introduce a total ban on any display and on the visibility of tobacco products at points of sale, including fixed retail outlets and street vendors, and the sale of tobacco products in vending machines should be prohibited because vending machines constitute by their very presence a means of advertising or promotion under the terms of the FCTC.

Or. en

Justification

UK and Ireland already have point of sale display bans in their national law. According to a
ruling by the EFTA court in a case Philip Morris against Norway in 2011, point of sale display bans are an obstacle to trade, but justified for reasons of health protection. The situation should be harmonised so that there is no advantage for tobacco retailers in countries which do not yet have a display ban.
Amendment 176
Carl Schlyter
on behalf of the Verts/ALE 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 17 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

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

Justification

Philip Morris has announced that it will invest 500-600 million Euros until 2016 to produce some 30 billion units of new generation products. There should be a clear obligation on manufacturers to conduct comprehensive relevant studies for novel products, and not just provide "available" studies on them. Otherwise, manufacturers could get away with very few studies or even no studies at all.
2.10.2013

Amendment 177
Carl Schlyter
on behalf of the Verts/ALE 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 17 – paragraph 1 – point b

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) available studies and market research on preferences of various consumer groups, including young people and</td>
<td>(b) robust studies and market research on preferences of various consumer groups, including young people and</td>
</tr>
</tbody>
</table>

Or. en

Justification

There should be a clear obligation on manufacturers to conduct robust market research for novel products, and not just provide "available" studies on them. Otherwise, manufacturers could get away with very few studies or even no studies at all.
Amendment 178
Carl Schlyter
on behalf of the Verts/ALE 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 17 – paragraph 1 – point c

*Text proposed by the Commission*

(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.

*Amendment*

(c) other relevant information, including *in particular* 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.

*Or. en*

*Justification*

*There should be a clear obligation on manufacturers to provide other relevant information, in particular a risk/benefit analysis, and not just provide "available" studies on them. Otherwise, manufacturers could get away with very few studies or even no studies at all.*
2.10.2013  A7-0276/179

**Amendment 179**

Carl Schlyter  
on behalf of the Verts/ALE 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 17 – paragraph 3**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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</thead>
<tbody>
<tr>
<td>3. Novel 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.</td>
<td>3. Novel 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. <strong>Novel products that mimic cigarettes shall be treated like cigarettes.</strong></td>
</tr>
</tbody>
</table>

**Justification**

*It should be clarified that for novel products that mimic cigarettes, the rules that are applicable to cigarettes should apply.*
Amendment 180
Carl Schlyter
on behalf of the Verts/ALE 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 17a (new)

Text proposed by the Commission

Amendment

Article 17a

Point of sale display bans

Member States shall prohibit the display of tobacco products at points of sale, including fixed retail outlets and street vendors. Member States shall prohibit the sale of tobacco products in vending machines.

Or. en

Justification

The lack of a harmonised approach on display bans at point of sale affects the functioning of the internal market. This amendment seeks to implement the guidelines on Article 13 FCTC, which consider that the display of tobacco products at points of sale is a key means of promoting tobacco products and tobacco use, including by stimulating impulse purchases of tobacco products. The sale of tobacco products in vending machines should also be prohibited because vending machines constitute by their very presence a means of advertising.
2.10.2013  A7-0276/181

Amendment 181
Martin Callanan
on behalf of the ECR Group
Richard Seeber, Seán Kelly and others

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 9 – paragraph 1 – point c

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) cover 75 % of the external area of both the front and back surface of the unit packet and any outside packaging;</td>
<td>(c) cover 65 % of the external area of both the front and back surface of the unit packet and any outside packaging;</td>
</tr>
</tbody>
</table>

Justification

Combined health warnings should cover 65% of the front and back surface of cigarette packets. For example, in Belgium, health warnings are already employed which cover roughly 65% of the external area of cigarette packets.
Amendment 182
Martin Callanan
on behalf of the ECR Group
Richard Seeber, Seán Kelly and others

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 g

Text proposed by the Commission

(g) for unit packets of cigarettes, respect the following dimensions:
(i) height: not less than 64 mm;
(ii) width: not less than 55 mm.

Amendment

(g) for unit packets of cigarettes, respect the following dimensions:
(i) height: not less than 44 mm;
(ii) width: not less than 52 mm.

Or. en

Justification

The minimum dimensions of the health warnings are based on combined health warnings covering 65% of the front and back surface of the cigarette packets, taking into consideration the smaller Portuguese packages.