



Issue 2013-12, December 2013  
2014



## EU - Tobacco Products Directive

18 December 2013 – EU Member States support strengthening the rules on tobacco and related products in Europe This week an agreement was reached between the European Parliament and EU Member States on the revision of the Tobacco Products Directive. The agreement is a major achievement for tobacco control in the EU. The new Directive sets in place more stringent rules for tobacco and related products, with the aim of limiting their appeal, in particular to young people. The new measures cover labelling, ingredients, tracking and tracing, e-cigarettes, cross-border distance sales, and herbal products for smoking.

[Press Release \(Council\)](#) <sup>EN</sup>

[Press Release \(European Parliament\)](#)

[Statement/Press Release of Commissioner Tonio Borg](#)

## **Commissioner Šemeta welcomes EU agreement to sign WHO Protocol against the illicit trade in tobacco**

### **Brussels, 9 December 2013**

Algirdas Šemeta, EU Commissioner for anti-fraud, welcomed the decision adopted by Council today for the EU to sign the WHO Protocol on the Elimination of the Illicit Trade in Tobacco Products.

Commissioner Šemeta said: "Every year, public budgets lose around €10 billion a year in the EU alone due to the illegal tobacco trade. Moreover, tobacco smuggling undermines health policies, and helps to fund even more sinister crimes. The EU pours huge resources into stamping out contraband and counterfeit cigarettes. But, it is not a problem we can eliminate on our own. The international nature of this problem demands an international response. The EU must throw its full weight behind the implementation of the WHO Protocol, and help stamp out this pernicious activity across the global."

### **Background**

The Protocol on the Elimination of the Illicit Trade in Tobacco Products was agreed in November 2012 by the Conference of the Parties to the World Health Organization Framework Convention on Tobacco Control (FCTC). Its aim is to establish a global approach to stamping out the illegal tobacco trade, through strict rules and controls on the supply and movement of tobacco products.

Under the Protocol, all those engaged in the tobacco supply chain (which also covers tobacco products and the manufacturing equipment) will be required to conduct due diligence on their customers. Put simply, that means that they must ensure that sales to their customers reflect the real and legitimate demand, and there is not excess supply which could be used in the black market.

The Protocol also foresees the establishment of a global tracking and tracing regime for all tobacco products, within 5 years of its entry into force. This would include unique identification markings, which will help determine the origin of tobacco products, as well as the point at which they are diverted into the illegal supply chain.

There is an obligation to implement effective controls on tobacco and tobacco products in Free Trade Zones. Tobacco products will no longer be allowed to be mixed with non-tobacco products when exporting from a Free Zone.

The EU will now sign the Protocol within the coming weeks. To enter into force, the Protocol will need to be ratified by 40 signatories.

Source: [http://europa.eu/rapid/press-release MEMO-13-1115\\_en.htm](http://europa.eu/rapid/press-release_MEMO-13-1115_en.htm)

## **Ukraine - The results of the nationwide monitoring prove smoke free legislation efficiency and benefits for public health.**

**Thank you for not smoking!**

### **The results of the nationwide monitoring prove smoke free legislation efficiency and benefits for public health.**

Regional Advocacy Center "Life" and Smoke Free Ukraine Coalition presented the results of a nationwide public monitoring of the smoke free law implementation. The comprehensive smoke free law that completely bans smoking in indoor premises of restaurants, cafes, bars and other public catering facilities came into force on December 16<sup>th</sup>, 2012.

During November 2013 volunteers and activists of the Coalition attended nearly 900 cafes, bars and restaurants in Kyiv and 13 other cities in Ukraine. The monitoring covered all types of

catering facilities: cafes (50%), bars (28%), restaurants (15%) and other types - pubs, breweries, billiards clubs etc. (7%).

These are the key findings of the monitoring:

1. The overall level of smoke free law implementation remains high - 90, 6% of catering points follow the law;
2. The total percentage of violations detected is 9, 4%, including 55 violations of cigarette smoking (6, 2% of the total) and 28 violations - hookah smoking (3, 2% of the total).
3. The chief violators are bars, breweries and billiards clubs - 14% of the total number of violations; then come restaurants - 10%, and the lowest level of violation was fixed in the cafes - 7%.
4. During the monitoring the volunteers also monitored the presence of promoters - consultants and/or certain types of tobacco products promotion: in 3.5% of points such promotion exists in the form of bright backlights, posters and "attractive" decoration items in the points of sale.

As a result of the identified violations activists have completed  and sent about 50 complaints to the local departments of the State Inspection of Ukraine on protection of consumer rights, another 20 complaints are still being prepared.

“While monitoring, the volunteers tried to interact with the staff - waiters and bartenders about their attitude to the law. As it turned out, the vast majority of the staff members endorse the law, because now they enjoy working in safe and “smokefree” conditions and are protected from the negative effects of tobacco smoking on their health” – commented Andrii Skipalskyi, Coordinator of Smoke Free Ukraine Project implemented by Regional Advocacy Center "Life".

Smoke free legislation also proved that restaurant business did not suffer from such regulations. According to the experts' reviews, national restaurant business will end up this year with 10-12% of growth.

But the major result of this law is that Ukrainians smoke less. According to State Statistics Department, the cigarette production in January - November 2013 dropped by 10% (8.7 billion cigarettes less) in comparison to the same period in 2012.

**Contacts:**

**Andrii Skipalskyi** ☐

Chairman of the Board

Coordinator of Smoke Free Ukraine Project

[andriy@center-life.org](mailto:andriy@center-life.org)

**NGO Regional Advocacy Center “LIFE”**

2-A Zolotovoritska Street, office 8

01030, Kyiv, Ukraine Tel./fax:  
[044-279-6883](tel:044-279-6883)

[\(+38\)](tel:+380442796883)

[www.center-life.org](http://www.center-life.org)

[smokefreeukraine@center-life.org](mailto:smokefreeukraine@center-life.org)

## **Moldova - 75 % Pictorial warnings Government proposal...to be voted also by the Parliament in January**

După ce proiectul de lege privind controlul tutunului a fost aprobat marți de către Guvern, Premierul Iurie Leancă încearcă să convingă și Parlamentul să susțină documentul. Într-o postare pe pagina sa de facebook, Iurie Leancă îi îndeamnă pe deputați să citească atent proiectul.

„Vă îndemn să citiți cu atenție amendamentele propuse de Guvern. Sper ca și parlamentarii să înțeleagă rațiunile noastre și, pentru binele tuturor, să voteze de aceeași manieră”, a scris Iurie Leancă.

Oficialul a mai menționat că noul pachet de reguli este dur, dar justifică eforturile întregii societăți de a se apăra de această boală planetară.

„Fumatul nu mai este demult doar un viciu. Statisticile ne avertizează că tutunul este un dușman de temut pentru o societate ca a noastră, care pierde anual circa 1 miliard de lei din această cauză. Iată de ce am decis să propunem o decizie fără precedent pentru Moldova, una care să ne salveze, dar și să ne alinieze la standardele europene spre care tindem”, a mai scris Iurie Leancă.

Amintim că cele mai importante prevederi ale proiectului de lege privind controlul tutunului prevede ca fumatul să fie interzis în spațiile publice închise și semiînchise, la locul de muncă și în transportul public. Totodată, proprietarii și managerii acestor spații vor fi obligați să afișeze pe ușa de intrare simbolul ce interzice fumatul. Proiectul introduce sancțiuni atât pentru gestionarii spațiilor în care este interzis fumatul, cât și pentru fumători. Astfel, se va interzice vânzarea produselor de tutun minorilor, comercianții fiind obligați să verifice vârsta persoanei. Se impun interdicții și la comercializarea on-line, dar și vânzarea tutunului prin aparate, precum și expunerea vizibilă a produselor din tutun în spațiile comerciale accesibile publicului. Lista produselor disponibile va fi prezentată doar la solicitarea cumpărătorilor majori.

De asemenea, proiectul prevede că avertismentele combinate privind dauna fumatului vor trebui să acopere 75% din suprafața externă a părții anterioare și posterioare a pachetului unitar și a ambalajului exterior. O altă interdicție se referă la scutirea de impozite și promovarea prin publicitate și sponsorizare. Proiectul legii privind controlul tutunului mai prevede interzicerea produselor ce conțin ierburi, dar și cele din tutun care conțin aditivi ce conferă gust/savoare sau adaosuri de vitamine și alți aditivi care creează impresia că produsul din tutun are efecte benefice asupra sănătății, a aditivilor stimulatori, precum cofeina sau taurina, aditivilor cu proprietăți colorante pentru emisii, a mentolului, vanilinei și a altor aditivi cunoscuți că provoacă efecte adverse.

Aceste amendamente prevăd și sancțiuni contravenționale pentru fiecare tip de încălcare. Documentul urmează să fie dezbătut de Parlament, cel mai probabil, după vacanța de iarnă.

- See more at: <http://www.e-sanatate.md/News/1780/premierul-iurie-leanca-incearca-sa-convinga-parlamentul-sa-sustina-proiectul-de-lege-privind-controlul-tutunului>