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**From:** SCHNICHEL Dominik (SANCO)  
**Sent:** 09 December 2013 17:43  
**To:** 'Sophie Crousse'  
**Cc:** [REDACTED] (SANCO)  
**Subject:** RE: TPD and Regulation of Nicotine Containing Products

Dear Sophie,

Thanks for the information. As you probably know the regulation of display at point of sales is not part of the TPD revision.

Kind regards

Dominik

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**From:** Sophie Crousse [mailto:sophie.s.crousse@gsk.com]  
**Sent:** Monday, December 09, 2013 4:05 PM  
**To:** SCHNICHEL Dominik (SANCO)  
**Subject:** TPD and Regulation of Nicotine Containing Products

Dear Dominik,

In our communication below on the compromise article 18 of the TPD under discussion, we pointed out an outstanding problem of advertising of e-cigarettes and communication to consumers [REDACTED]  
[REDACTED]

Addressing this issue in the TPD is imperative given that in-store tobacco marketing represents a key aspect of tobacco advertising and it is proved to incentivise smoking. If a two-tier system is to regulate the EU market of nicotine containing products, it is of paramount importance to enable consumers to distinguish between the different products categories and their respective properties by ensuring correct positioning and presentation of these products. With this objective, a display on the shelf of leisure electronic cigarettes alongside medicinal Nicotine Replacement Therapies or food products (see examples below) is misleading for consumers and undermines the interest of public health.

Distinguishing nicotine products with therapeutical purpose, i.e. NRT from those with recreational purpose, electronic cigarettes, enable consumer to make inform choice about products' quality, safety and efficacy and about the benefits of quitting smoking.

We therefore would ask you to consider this important aspect of the regulation in the on-going revision of the Tobacco Products Directive.

We remain at your disposal for additional information and are looking forward to further discussing this matter with you.

Kind regards,

Sophie.



**Sophie Crousse**  
**Vice President European Public Affairs Europe**  
Consumer Healthcare Europe

**GSK**  
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**From:** [Dominik.Schnichels@ec.europa.eu](mailto:Dominik.Schnichels@ec.europa.eu) [<mailto:Dominik.Schnichels@ec.europa.eu>]  
**Sent:** vendredi 6 décembre 2013 21:15  
**To:** Sophie Crousse  
**Subject:** RE: TPD and Regulation of Nicotine Containing Products

Thanks, we contact you in case of further questions. Dominik

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**From:** Sophie Crousse [<mailto:sophie.s.crousse@gsk.com>]  
**Sent:** Friday, December 06, 2013 6:00 PM  
**To:** SCHNICHEL Dominik (SANCO)  
**Subject:** TPD and Regulation of Nicotine Containing Products

Dear Dominik,

Further to our previous communication, the institutional debate on the TPD revision has drastically changed and we take due account of the new options on the table.

While we continue to believe in pharmaceutical legislation as the most appropriate framework to ensure highest standards of quality and safety of NCPs and to advance public health, we however acknowledge the political challenges in the on-going inter-institutional debate for the establishment of single medicinal regulatory regime for NCPs.

We acknowledge that the compromise proposed by the European Commission on article 18 although maintaining a two-tier regulatory system, however represents a step forward with regard to products safety and consumer protection as compared to the position of the European Parliament. Given that this proposal is now part of the policy debate on the way forward for NCP regulation, we would like to bring to your attention the views of our medical and regulatory industry experts on the proposed regulation.

Ahead of the next round of inter-institutional deliberations, we would ask you to consider these comments with the objective of ensuring robust regulatory standards for NCPs in the interest of public health and consumer safety.

I remain at your disposal for any questions and comments on this matter and we are looking forward to further discussing NCP regulation with you .

Kind regards,  
Sophie

**Sophie Crousse**  
**Vice President European Public Affairs Europe**  
Consumer Healthcare Europe

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#### **About GSK**

*GSK is a global healthcare company that is committed to helping people to do more, feel better and live longer. GSK has helped over 9 million people to quit smoking over the last 20 years with its range of Nicotine Replacement Therapy (NRT) products. GSK believes that this is testament to the role of appropriately regulated and efficacious products in gaining consumers' confidence in Nicotine Containing Products (NCPs). GSK also produces a range of medicines to support people with respiratory conditions through its Pharmaceutical business.*

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