

Ares(2013) 3536843 ✓

Subject: Trilogue on the Tobacco Products Directive - ECMA cigar industry concerns

From: [REDACTED]
Sent: Monday, November 11, 2013 3:11 PM
To: PANELLA Lauro (CAB-TAJANI)
Cc: [REDACTED] m.crijnen@sigaar.nl; [REDACTED]
Subject: Trilogue on the Tobacco Products Directive - ECMA cigar industry concerns

Dear Mr Panella,

Following our e-mail of the 28th of October we herewith take the liberty to contact you once more about the ongoing trilogue negotiations on the tobacco products directive.

We were recently advised about the fact that the Lithuanian Presidency is said to have suggested an addition to article 10.1 concerning the labelling of tobacco for smoking other than cigarettes and roll-your-own tobacco. Apparently this addition would read as follows: *"For packets with the hinged lid, the other most visible surface is the one that becomes visible when the packet is open"*. As the 2 health warnings on packets of cigars have to be placed on 1) the most visible surface of the unit packet and 2) *the other most visible surface of the unit pack* respectively, this addition would imply that the second warning would have to be placed on the inside of the cigar packet instead of on the back in future! For your information I have attached 3 photos of a hinged lid cigar packet showing the current front (1), back (2) and inside (3) of a typical cigar packet.

We are very much concerned about this proposal of the Lithuanian Presidency, as:

-) such a proposal was never mentioned before, neither by the Commission, nor by the Council nor by the European Parliament, i.e. this proposal cannot be seen as a 'compromise' that is necessary in the context of the trilogue;
-) we are not aware of any problems with the current location of the health warnings on cigar packets;
-) the proposal has not been part of the impact assessment that was carried out by the European Commission in 2012;
-) the proposal would have a huge impact on the cigar SMEs, as it is technically impossible to put a health warning sticker on the inside of the cigar packet as suggested by the Presidency. Pre printing of the warnings is also impossible in most of the cases as the cigar industry generally uses internationally standardised packs as much as possible due to the small sales- and production volumes. Cigar packets are normally produced, put on stock for a while and only made country specific afterwards, by adding country specific requirements such as a tax stamp and the health warnings once the member state of destination is known.

Once again our apologies for asking your attention, but for the SMEs working in the cigar sector this proposal would really have a massive impact as the vast majority of our packets have a hinged lid.

Yours sincerely,

Marcel Crijnen
 Secretary General
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