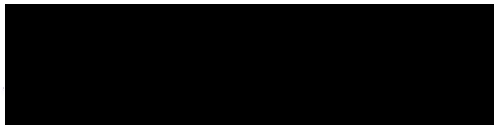




Geneva, April 5, 2019



Directorate-General for Health and Food Safety
European Commission
1049 Bruxelles/Brussel
Belgium



As per Article 15 of the Tobacco Products Directive 2014/40/EU (TPD), the EU-wide system of traceability for tobacco products to address the issue of illicit trade will enter into force on May 20, 2019.

Implementing Regulation 2018/574 (the "Implementing Regulation"), requires all EU Member States to appoint the entity responsible for generating and issuing unique identifiers by May 6, 2019. This entity must be ready *"to generate and issue identifier codes and UIs to economic operators"*, and thereafter the industry supply chain must implement the Track & Trace system by May 20, 2019.

It is less than six weeks away from the actual launch of the EU traceability system and we are deeply concerned about the status of anticipated readiness of ID Issuers in many Member States. Many Member States have either not appointed ID issuers or an ID issuer has been appointed but a tender for subcontracting the technical handling of UIs and economic operators' registration is still ongoing.

Although there is no standard duration for the setting up of the system, our experience with already appointed ID issuers shows that at least four weeks are needed to properly adapt our interfaces and undertake the relevant tests. Therefore, we would need to start working with ID issuers on April 20 at the latest.

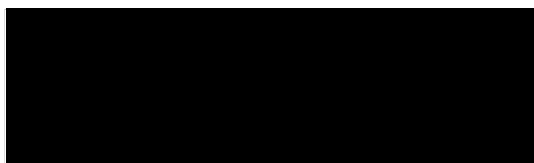
We believe that if the ID issuer is not in a position to start working with us before such date, the realistic timeframe to ensure compliance of the entire tobacco supply chain would be compromised, despite the extraordinary efforts made by all parties to implement a complex EU wide Track & Trace system in an extremely short period of time (i.e. thirteen months timeline given, following official publication of the regulations, for the industry and Member States to implement the system).

Article 4 paragraph 5 of the Implementing Regulation envisages use by Economic Operators, including manufacturers, of the services of other lawfully appointed ID issuers to order ID codes. In light of this provision, we ask for your guidance on whether the Commission is planning to provide to the industry the option of using alternative approved ID issuers in order to avoid disruption to the supply chain. This solution is envisaged in the Implementing Regulation and is appropriate in circumstances such as these.

Summary record of the meeting of the subgroup on traceability and security features, October 23, 2018:
https://ec.europa.eu/health/sites/health/files/tobacco/docs/ev_20191023_sr_en.pdf

We would appreciate your feedback by April 20 as per the necessary timeframes outlined above and remain of course fully available to discuss this complex topic further.

We look forward to hearing from you.



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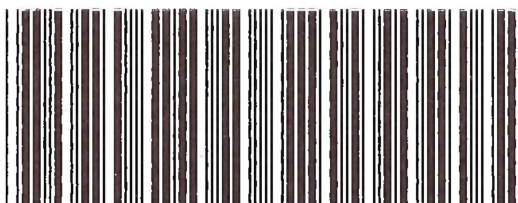
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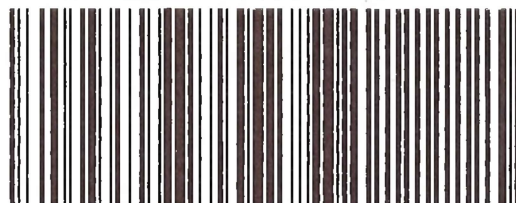
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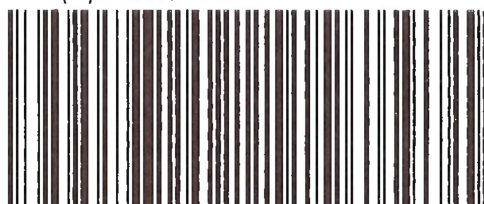
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