

From: [REDACTED] (SANTE)
Sent: lundi 3 juin 2019 18:57
To: [REDACTED]
Cc: SANTE TT SW; SANTE B2 TOBACCO CONTROL
Subject: RE: JTI letter re: alternative ID issuers

Dear [REDACTED] I will be grateful for forwarding the below response to [REDACTED] Thank you, [REDACTED]

Dear [REDACTED]

Thank you for your letters of 5 April and 27 May 2019 concerning the implementation of the EU system of tobacco traceability, in particular the acquisition of unique identifiers from the national ID issuers appointed by EU Member States. In the second letter, you inform about your intention to rely on Commission Decision (EU) 2019/691, which authorises the economic operators to use the services of another appointed ID issuer in the temporary absence of the competent entity.

In this context, your company is strongly advised to turn to the competent national authorities for necessary guidance as regards the status of the relevant ID issuers. It is for each competent authority to determine the absence of its ID issuer. For the time being, the Commission has been notified of the absence of the ID issuer in only one Member State, i.e. Romania. At the same time, as you may be aware, several Member States have started, or are in the process of starting, to take actions concerning the requests for unique identifiers that the economic operators submitted to non-competent ID issuers.

Finally and for the avoidance of doubt, it is worth noting that pursuant to Article 36(1)(a) of Commission Implementing Regulation (EU) 2018/574, it is for the ID issuer, not for the economic operators, to define how the electronic transfer of unique identifiers is technically carried out. While it may be technically and economically viable for both the ID issuer and the economic operators to aim at the full system-to-system integration, Article 9(3)(c) of the Regulation only stipulates that the unique identifiers are electronically transmitted to the requesting manufacturer or importer. There is no legal requirement of the system-to-system integration.

Kind regards,

[REDACTED]
[REDACTED]



European Commission
Directorate-General for Health and Food Safety
Unit B2 – Cross border healthcare and tobacco control

[REDACTED]
B-1049 Brussels/Belgium
[REDACTED]

From: [REDACTED]
Sent: Tuesday, May 28, 2019 6:09 PM
To: SANTE TT SW <SANTE-TT-SW@ec.europa.eu>; [REDACTED] (SANTE)
[REDACTED]
Subject: JTI letter re: alternative ID issuers

Dear [REDACTED]

Please find attached the letter of Japan Tobacco International regarding the situation with the alternative ID issuers.

Please do not hesitate to contact me if you have any questions.

Best regards,
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
Fiscal Affairs & AIT
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