



C.E.D.T.

CONFÉDÉRATION EUROPÉENNE DES DÉTAILLANTS EN TABAC (G.E.I.E.)

Bruxelles, 20 May 2019

Subject: Consultation on plain and standardised packaging.

The CEDT, the European Confederation of Tobacco Retailers, would like to thank the Dutch authorities for giving to stakeholders the opportunity to contribute to such public consultation.

The CEDT represents 150.000 local businesses and tobacco retailers that create a consolidated network of shops in Italy, France, Spain, Austria, Greece and Hungary. This network may count on more than 40 million European citizens who are visiting these shops every day. It has the common characteristic of being under the control of the tax or customs administrations of their respective countries. These administrations grant, according to strict procedures, licences or authorisations for the sale of tobacco products or their derivatives.

Therefore, tobacconists are responsible for the correct implementation of public health policies in Europe. Thanks to their permanent training, which in some cases is mandatory by national law, they play a crucial role in Member States by guarantying full compliance with health rules as well as avoiding uncontrolled sales of smuggled products and carrying out the traceability of tobacco products.

Bearing this in mind, CEDT's members would like to point out their view on plain packaging: the regulatory measure that the Dutch government is considering to implement.

According to recent data from Australia, France and UK, the introduction of plain packaging has had no statistically significant impact on smoking prevalence and on consumption. In May 2017, the Australian Institute of Health and Welfare declared that: *"While smoking rates have been on a long-term downward trend since 1991, the daily smoking rate between 2013 and 2016 did not significantly decline and only decreased slightly from 12.8% to 12.2%"*. Last year, the French Health Minister, Ms. Agnès Buzyn, said that *"in 2016, the plain packaging did not reduce the official sale of tobacco"*. In addition, the Australian government was forced to set up a multi-agency called "the Illicit Tobacco TaskForce (ITTF)" because of the increase in the production and sale of illegal tobacco in Australia.

Having outlined so, CEDT's members strongly believe that it is important to implement regulatory measures with the aim of protecting people's health. However, as showed above, plain packaging is not helping governments in reaching health protection targets. In fact, evidences are showing that the introduction of a plain packaging would not result in deterring consumers from smoking. Rather, it increases counterfeiting practices and smuggling of counterfeit products, thus thwarting the efforts deployed until now by relevant authorities to combat this phenomenon.



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In addition to that, the introduction of such measure poses many doubts with regard to possible distortion of the European single market. This view was clearly shared by numerous Member States who have issued, through the TRIS database, around sixty detailed opinions in response to the Irish, UK, French, Hungarian and Slovenian notification to the European Commission.

In conclusion, according to the European anti-fraud Office (OLAF), tobacco smuggling in the EU has intensified in recent years and it is estimated to represent an annual loss of ten billion euros in terms of public revenues for the EU and Member States' budgets. For this reason, European Members States should carefully consider measures like plain packaging because of the side effects they can bring all across Europe.

As European Confederation, we are at your disposal for any additional clarification and we thank you again for considering our contribution.

Best regards,

Peter Schweinschwaller
CEDT President