



**Feedback on the draft act amending the
existing Regulation (EU) 2018/574 on
technical
standards for the establishment and
operation of a traceability system for
tobacco products**

About the Association of European Cancer Leagues (ECL)

The Association of European Cancer Leagues (ECL) is a non-profit organisation that unites, supports and represents cancer leagues across the WHO European region.

Established in 1980 by prominent NGOs and experts, and based in Brussels (Belgium), ECL provides a voice and forum for cancer leagues to collaborate and share knowledge, primarily in the areas of cancer prevention, tobacco control, access to medicines and patient support, and create opportunities to advocate for these issues at the EU level and beyond.

From Iceland to Israel, cancer leagues contribute to preventing and fighting cancer by, amongst other things, raising awareness and educating people about cancer, investing in research and providing support to cancer patients and their families during and after treatment.

ECL's feedback

ECL welcomes the European Commission's intention to amend the current EU tracking and tracing system for tobacco products, which was put in place through Articles 15 and 16 of the Tobacco Products Directive (2014/40/EU), applicable in the EU Member States as of 20 May 2016.

While welcoming the commitment to tailor the tracing system to reflect the real-world datasets produced by the system itself, ECL calls on the Commission to increase the overall transparency and independence of the system.

A first step in this direction should be to make publicly available all assessments of the functioning and results of the track and tracing system. Despite the system having been running for over three years, this information is not yet available. Reversing this reality would allow for greater public trust in the system, as well as for more accurate involvement and scrutiny by the part of civil society organisations acting to protect the health of citizens from tobacco harms.

Tobacco industry has an established track record in undermining health policies aimed at restricting (illicit) trade in tobacco products. To avoid industry interference in the system for tobacco product traceability, ECL further calls to limit the involvement of the tobacco industry to only what is absolutely necessary, addressing some key weaknesses that could hamper the transparency and independence of the system. In particular, the current process for nomination of data repositories and auditors seem to remain industry-led. The Commission or Member States could take the lead in this endeavour with full transparency. The names of auditors and the reports that these have produced should be made publicly available, to ensure that public interests are prioritised over commercial ones. Lastly, the scope of duties for auditing should be broadened to account not only for irregularities in relation to access of data storage facilities, but also for companies' potential debatable choices of software generating unique identifiers.