

**LATEST NEWS ON TOBACCO CONTROL!**

# Illicit Tobacco Trade

in the European Parliament

**JANUARY 2019**



## Illicit Tobacco Trade in the European Parliament



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*During an event on illicit tobacco trade on 29 January 2019 in the European parliament, hosted by MEP Busoi, several speakers were invited : European Commission, SFP, ENSP, ECL, University of Bath and the International Tax Stamp Forum. Luk Joossens outlined the importance of improving the EU system for traceability of tobacco products and made the following statement.*

1. We welcome that the EU has adopted a traceability system for tobacco products. My statement on behalf of ECL is also endorsed by SFP, CNCT, and ASH(UK).
2. MS should specify the Unique Identifier (UID) and all five Security Features are independent of the tobacco industry in order to ensure compliance with the requirements of the ITP. This stricter requirement is permitted by the EU delegated and implementing Acts.
3. MS should specify that the UID and all the security features are either on the tax stamp, if a tax stamp is already required, or on a label/stamp affixed to the packet and impossible to remove without damaging it.



4. The EU tracking and tracing system is based on the 2014 Tobacco Products Directive which stipulates that the tobacco companies choose and pay the data storage providers and auditors for implementing and controlling the EU tracking and tracing system. This partnership between the EU and tobacco companies is in conflict with the obligations of the WHO FCTC Protocol on tracking and tracing which will come into force on 25 September 2023.



5. The primary repositories which contain individual industry data were selected by tobacco companies and it is not surprising that several of them had close interaction with the tobacco companies. It is disappointing that this is also true for the secondary data repository, containing all the data, which was selected by the EU.

6. Several of the data storage providers approved by the EU have links with the design, implementation and development of the industry's solution and do not meet the independence obligations required by the WHO FCTC ITP.

7. Independence rules are subject Under Article 28 of the TPD this review is required to be no later than 20 May 2021 but can be in advance of that. Given that the TPD will need revision in advance of 25 September 2023 this process should be commenced without delay.

8. There is emerging evidence that the tobacco industry is promoting a cherry-picked version of the EU system in other parts of the world to promote versions of the industry solution. Ratification of the ITP and implementation according to its letter and spirit is crucial and all Parties must be vigilant.