



Notification Number: 2010/271/UK

Tobacco Advertising and Promotion (Display) (Wales) Regulations 2010

Date received : 30/04/2010
End of Standstill : 02/08/2010 (01/11/2010)
Issue of detailed opinion by : Greece, Portugal

Message

Message 001

Communication from the Commission - SG(2010) D/51099

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2010/0271/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201001099.EN)

1. Structured Information Line

MSG 001 IND 2010 0271 UK EN 30-04-2010 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills
Innovation & Enterprise Group
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

3. Originating Department

Welsh Assembly Government: Department of Public Health and Health Professions, Health and Social Services



Directorate

4. Notification Number

2010/0271/UK - X00M

5. Title

Tobacco Advertising and Promotion (Display) (Wales) Regulations 2010

6. Products Concerned

Storage units from which tobacco products are sold.

7. Notification Under Another Act

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8. Main Content

Section 7A of the Tobacco Advertising and Promotion Act 2002, as inserted by section 21 of the Health Act 2009, prohibits the display of tobacco products. Section 7B of that Act, as inserted by section 21 of the Health Act 2009, provides for exclusions and defences in relation to the offence created in section 7A. The draft Regulations will provide that no offence is committed where the display of tobacco products takes place during a sale of the product, provided that no more than 0.75 square metres of the storage unit in which the product is kept is displayed (draft regulation 4(2)(b)). Draft regulation 6(2)(c) makes similar provision in relation to displays which take place during the restocking of storage units. Draft regulation 7 provides that no offence is committed by a display which is requested by an enforcement officer acting in the course of their duty. Finally, draft regulation 8 makes provision about labelling on storage units. A storage unit means a gantry, cabinet or unit, tray, shelf or other product in which a tobacco product is held pending sale.

9. Brief Statement of Grounds

The aim is to protect the health of children and young persons. There is clear evidence that promotional activities encourage children to start smoking and therefore it is important that displays of tobacco products, like advertising, are prohibited.

10. Reference Documents - Basic Texts

References of the Basic Texts: New Sections 7A and 7B of the Tobacco Advertising and Promotion Act 2002 as inserted by section 21 of the Health Act 2009 (attached).

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality



No

14. Fiscal measures

No

15. Impact assessment

Yes

16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

Catherine Day
General Secretary
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