



Notification Number: 2003/359/UK

The Tobacco Advertising and Promotion (Point of Sale) Regulations 2003

Date received : 24/09/2003
End of Standstill : 29/12/2003
Issue of comments by : Austria, Germany

Message

Message 001

Communication from the Commission - SG(2003) D/51838

Directive 98/34/EC

Notifikation - Notifizierung - Γνωστοποίηση - Notification - Notificación - Notifica - Kennisgeving -
Notificação - Ilmoitus - Anmälan : 2003/0359/UK.

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el
plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei
ala tästä - Inleder ingen frist.

(MSG: 200301838.EN)

1. Structured Information Line

MSG 001 IND 2003 0359 UK EN 29-12-2003 24-09-2003 UK NOTIF 29-12-2003

2. Member State

United Kingdom.

3. Department Responsible

Department of Trade and Industry: Standards and Technical Regulations Directorate

3. Originating Department

Department of Health

4. Notification Number

2003/0359/UK – X00M

5. Title

The Tobacco Advertising and Promotion (Point of Sale) Regulations 2003



6. Products Concerned

Tobacco products

7. Notification Under Another Act

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8. Main Content

The draft Tobacco Advertising and Promotion (Point of Sale) Regulations set out the limited advertising of tobacco products which is to be permitted at the point of sale. Point of sale is defined in the regulations. The regulations permit one or more advertisements of tobacco products at the point of sale, but together these cannot total more than the size of an A5 sheet of paper. These advertisements are subject to other restrictions. The regulations also allow retailers to display plain price lists or price indications providing these meet the specifications in the regulations. The regulations restrict advertising on tobacco vending machines and on ferries and aircraft. The regulations apply to England, Wales and Northern Ireland. They will be enforced by Trading Standards Officers (Environmental Health Officers in Northern Ireland).

9. Brief Statement of Grounds

Smoking is estimated to cause 120,000 deaths per year in the UK. The Government made a commitment in 1998 that it would only allow minimal advertising of tobacco products in shops. The UK enacted comprehensive controls on tobacco advertising and promotion in the Tobacco Advertising and Promotion Act 2002 and this Act provides powers to regulate point of sale tobacco advertising. The draft regulations are designed to restrict advertising of tobacco products to gantries and other units where tobacco products are sold. This approach allows businesses to display their products and indicate information necessary to consumers but seeks to protect the public (especially children and young people) as far as possible from exposure to promotion of tobacco products.

10. Reference Documents - Basic Texts

- a) The Tobacco Advertising And Promotion (Point Of Sale) Regulations 2004.
- b) The Tobacco Advertising and Promotion Act 2002 - 2002/135/UK.

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

Impact Assessment

None available

16. TBT and SPS aspects

TBT and SPS Aspects

TBT Aspect

NO.

The draft does not have a significant effect on international trade.

SPS Aspect

NO

The draft is not a sanitary or phytosanitary measure in the sense of Annex A of the SPS Agreement.

David O'Sullivan
General Secretary
European Commission

sent to :

BELNotif Qualité et Sécurité
Mme Descamps

Bundesministerium für Wirtschaft Referat XA2
Frau Christina Jäckel

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1
Frau MARKL Iris

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1
Frau Brigitte WIKGOLM

Department of Trade and Industry - Standards and Technical Regulations - Dir 2
Mr Philip Plumb

EFTA Surveillance Authority
Mr. Gunnar Thor PETURSSON

ELOT
Mr E. Melagrakis

Erhvervs- og Boligstyrelsen
Lene Hald Nielsen



European Free Trade Association

.

Institut Belge de Normalisation
Mme F. Hombert

Instituto Português da Qualidade
Sra. Candida Pires

Kauppa-ja teollisuusministeriö
M. Henri Backman

Kommerskollegium
Mme Kerstin Carlsson

Min. de Asuntos Exteriores
Esther Perez Pelaez

Min. of Industry, Energy & Technology
Mr K. Polychronidis

Ministerie van Financien Belastingdienst - Douane / CDIU
De Heer IJ.G. van der Heide

Ministero dell'Industria, del commercio e dell'artigianato
Signor P. Cavanna

NSAI
Mr Tony Losty

National Agency for Enterprise & Housing
Laila Østergren

Représentation Permanente du Luxembourg

.

SQUALPI
Mme Piau

Undersecretariat of Foreign Trade General Directorate of Standardisation
Saadettin DOGAN