



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Notification Number : 2024/0314/NL (Netherlands)

Amendment to the Tobacco and Smoking Products Decree in connection with standard packaging for cigars and electronic vaping products.

Date received : 12/06/2024

End of Standstill : 13/09/2024

Message

Message 001

Communication from the Commission - TRIS/(2024) 1529

Directive (EU) 2015/1535

Notification: 2024/0314/NL

Notification of a draft text from a Member State

Notification - Notificación - Notifizierung - Нотификация - Oznámení - Notifikation - Γνωστοποίηση - Notificación - Teavitamine - Ilmoitus - Obavijest - Bejelentés - Notifica - Pranešimas - Paziņojums - Notifika - Kennisgeving - Zawiadomienie - Notificação - Notificare - Oznámenie - Obvestilo - Anmälan - Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Ne zahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésket - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20241529.EN

1. MSG 001 IND 2024 0314 NL EN 12-06-2024 NL NOTIF

2. Netherlands

3A. Ministerie van Financiën
Douane centrale dienst voor in- en uitvoer

3B. Ministerie van Volksgezondheid, Welzijn en Sport, Directie Wetgeving en Juridische Zaken

4. 2024/0314/NL - X00M - GOODS AND MISCELLANEOUS PRODUCTS

5. Amendment to the Tobacco and Smoking Products Decree in connection with standard packaging for cigars and electronic vaping products.

6. Subject: a basis for delegation to lay down, by Ministerial Regulation, more detailed rules on the prescription of standard packaging for cigars and electronic vaping products.



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7.

8. The amendment to the Tobacco and Smoking Products Decree aims to supplement a legal basis on standard packaging for cigars and electronic vaping products in order to lay down further packaging requirements in a Ministerial Regulation. Upon this basis, standard packaging for cigars and electronic vaping products shall be prescribed in a Ministerial Regulation. This Regulation is currently under preparation and shall be notified as soon as this is possible. This amendment to the Tobacco and Smoking Products Decree does not in itself lay down any technical requirements, but since the Decree shall lead to such requirements being included in the Regulation, and the subject of neutral packaging is explained in both documents, the Decree is also notified for the sake of completeness.

This is in line with the system already in place for cigarettes and rolling tobacco (see current Article 3.4 of the Tobacco and Smoking Products Decree and the effect in Article 3.7 of the Tobacco and Smoking Products Regulation).

The Netherlands Food and Consumer Product Safety Authority (NVWA) shall respect the principle of free movement of goods and mutual recognition when supervising compliance with this national requirement.

9. Rules on standard packaging for cigarettes and roll-your-own tobacco already entered into force on 1 October 2020 (see Government Gazette 2020, 24728). In order to promote coherence and consistency of tobacco control policies, it is important that this standard packaging, also referred to as neutral packaging and plain packaging, is not limited to cigarettes and rolling tobacco. As agreed in the National Prevention Agreement, the Government considers it necessary to prescribe standard packaging for cigars and electronic vaping products as well.

In recent years, e-cigarettes, known as vapes, have continued to gain popularity among a young target group in the Netherlands. Furthermore, specific thinner cigars, known as cigarillos, are very popular among young people abroad. Luxury packaging also exists for cigars. It is important to prevent these harmful products from gaining even more popularity among young people.

Standard packaging reduces attractiveness. Standard packaging shifts attention to the health warnings and, where applicable, the deterrent image. This reduces the temptation to smoke or vape, which contributes to a successful tobacco control policy that is necessary in the interests of public health. There is no less far-reaching alternative that can achieve the same objective. In addition, the basis for delegation applies to all cigars and electronic vaping products marketed or to be marketed in the Netherlands, which means that the measure is applied without discrimination. This makes this Decree necessary, proportional, proportionate and in accordance with the relevant legal provisions as set out in the explanatory memorandum.

10. Numbers or titles of basic texts:

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No



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European Commission

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