

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

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1575th Council meeting

- HEALTH -

Brussels, 15 May 1992

President: **M. Arlindo DE CARVALHO,**
Minister for Health of the
Portuguese Republic

6427/92 (Presse 80 - G)

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Commission :

Mme Vasso PAPANDEOU

Member

LABELLING OF TOBACCO PRODUCTS

Following the completion of the co-operation procedure with the European Parliament, the Council finally adopted the Directive on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products and the prohibition of the marketing of certain types of tobacco products for oral use.

This Directive amends Directive 89/622/EEC which mainly concerned cigarettes. It does so both by extending the obligation to print specific health warnings on the unit of packaging to tobacco products other than cigarettes and by imposing a ban on the marketing of certain types of tobacco for oral use.

The system of specific warnings, which must cover at least 1% of the total surface area of the unit of packaging, is as follows:

- in the case of smoking tobacco products other than cigarettes: genuine alternation between the four warnings "Smoking causes cancer", "Smoking causes fatal diseases", "Smoking damages the health of those around you", "Smoking causes heart disease";
- the arrangements applicable to rolling tobacco are the same as those laid down in Directive 89/622/EEC with regard to cigarettes;
- in the case of tobacco products which are not intended for smoking, the single warning "Causes cancer" must appear.

As far as tobacco products intended for oral use are concerned, the Directive aims to ban the marketing of new products which pose particular risks. In specific terms this means: tobacco products for oral use in the form of powder, fine particles or any

combination of these forms - particularly those presented in sachet portions or porous sachets - or in a form reminiscent of an edible product. Such products hold a particular attraction for young people and have already been banned altogether in certain Member States.

The Member States must bring the provision concerning the marketing ban on certain types of tobacco for oral use into force by 1 July 1992 and the other provisions of the Directive by 31 December 1993. Products existing on that date which do not comply with the Directive may continue to be marketed until 31 December 1994.

TOBACCO ADVERTISING

The Council held an exchange of views on the amended proposal for a Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising of tobacco products. Following the Opinion of the European Parliament, the Commission added an amendment to the proposal.

The proposal aims to impose a total ban on direct advertising of tobacco products except inside sales outlets.

The debate ended with the Council instructing the Permanent Representatives Committee to actively continue proceedings so that the Council could discuss the matter at its next meeting.

TOXICOLOGY FOR HEALTH PROTECTION

The Council and the Ministers adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE MINISTERS FOR HEALTH OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

HAVING EXAMINED the Commission communication on the Community programme of action in the field of toxicology for health protection,

TAKE NOTE of the results achieved, which to a large extent meet the objectives set by the Council and the Representatives of the Governments of the Member States, meeting within the Council, in 1986 ⁽¹⁾ and 1988,

CALL ON the Commission to disseminate those results widely and to complete work in progress,

CONSIDER that the experience acquired in this field in the Member States and at Community level should also be able to contribute to the prevention of disease,

CALL ON the Commission accordingly to identify, if appropriate, action regarding toxicology which might be implemented in the context of future Community health policies."

(1) Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council, on a programme of action of the European Communities on toxicology for health protection (OJ No C 184, 23.7.1986, p. 1).

NUTRITION AND HEALTH

The Council and the Ministers adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE MINISTERS FOR HEALTH OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

CONSIDERING the importance of diet for people's health and well-being and the role of a proper diet in the prevention of various diseases and risk factors;

REFERRING to their Resolution of 3 December 1990 concerning an action programme on nutrition and health ⁽²⁾ which provides in particular for a European Nutrition Year;

REAFFIRM the importance of such action which, in the context of future Community policies on health, will make a substantial additional contribution to action already being undertaken by the Member States in this field;

NOTE that the Commission is in the process of conducting a general examination of health issues and that it intends to take the necessary initiatives as soon as that examination has been concluded;

CONSIDER that there should be continued discussion of questions relating to nutrition in the context of future Community policies in the sphere of health;

CALL ON the Commission to continue its studies in close co-operation with the Senior Officials designated for this purpose by the Member States."

(2) Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council (OJ No C 329, 31.12.1990, p. 1).

HEREDITARY ILLNESSES

The Council and the Ministers adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE MINISTERS FOR HEALTH OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

CONSIDERING the importance of hereditary and genetic illnesses in the general context of health problems;

CONSIDERING the repercussions which such illnesses have, particularly on the economic and social levels, and the effects which they may have on future generations;

WHEREAS, in addition to research actions, the Community is already adopting in other spheres measures which contribute to the prevention of those illnesses, insofar as they are aimed at eliminating attendant risk factors;

WHEREAS co-operation with the international organizations active in this area and among the various national bodies may contribute to the increased effectiveness of resources and knowledge concerning all the problems connected with the prevention of those illnesses;

HAVING REGARD not only to the health aspects but also to the particular ethical, legal, economic and social aspects of those problems;

NOTE with interest the memorandum submitted by the Portuguese delegation concerning hereditary and genetic illnesses;

BELIEVE that it is important to enhance the role of epidemiological research on genetic illnesses in the framework of Community and international research programmes in the fields of biomedicine and health;

EMPHASIZE that the pooling of data and results from the various national and Community actions connected with the elimination of risk factors may facilitate the fight against hereditary illnesses;

CONSIDER that matters connected with the fight against such illnesses, notably the need for co-operation among the Member States, should be the subject of discussions in the context of future Community policies on health."

EUROPEAN DRUG PREVENTION WEEK

With preparations for European Drug Prevention Week under way, the Council and the Ministers adopted the following declaration:

"THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE MINISTERS FOR HEALTH OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

WHEREAS drug abuse gives rise to health problems and social problems worldwide and efforts to resolve such problems therefore require international co-operation, and particularly a special effort on the part of the Community;

REFERRING to the conclusions of the Heads of State and of Government on the importance of systematically and continually stepping up action by the Community and its Member States to combat drugs;

HAVING regard to the objectives and lines of action set out in the European plan to combat drugs, approved by the European Council in Rome on 14 and 15 December 1990, and in particular those aimed at reducing demand for drugs;

CONSIDERING the conclusions of the European Council meeting in Maastricht, which supported the organization of a European Week to promote the prevention of drug use in the context of the widest possible information on drug problems;

AFFIRM their shared resolve to increase efforts in the fight, at all levels, to reduce demand for drugs in Europe;

CONSIDER that such efforts should concentrate primarily on prevention and more particularly on information and health education for young people;

CONSIDER that the European Drug Prevention Week, to be held from 16 to 22 November 1992, should usher in closer, ongoing co-operation in order to increase awareness among the general public and above all young people;

APPEAL for the participation of the general public, particularly all those people and bodies more directly involved in the organization and promotion of that European Week, in order for such action to make a significant contribution to the prevention of drug addiction in Europe."

EUROPEAN DRUGS MONITORING CENTRE (EDMC) AND A EUROPEAN INFORMATION NETWORK ON DRUGS AND DRUG ADDICTION (REITOX)

The Council was informed of progress on the proposal for a Regulation setting up a European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and a European Information Network on Drugs and Drug Addiction (REITOX).

The purpose of the proposal, which follows up the conclusions of the European Councils of 28 and 29 June and 9 and 10 December 1991, is to set up before 30 June 1992 a European Drugs Monitoring Centre, whose task would be to provide the Community and Member States with objective, reliable and comparable information on aspects of drugs and drug addiction.

The Permanent Representatives Committee was instructed to continue work in the light of the outcome of the discussion and of the Opinion which the European Parliament has just delivered with a view to a decision by the General Affairs Council by 30 June.

ADEQUATE BLOOD PRODUCTS AVAILABILITY IN THE COMMUNITY

The Council adopted the following conclusions:

"Without prejudice to the development of future prospects for Community co-operation concerning blood, the Ministers for Health, meeting within the Council,

took note of the Commission working paper on this problem:

stressed the importance of achieving blood self-sufficiency in the Member States and in the Community;

in this context, reaffirmed the principle of voluntary unpaid blood donation, which they are endeavouring to stimulate;

considered that the risk of infection must be reduced as much as possible, protecting the health of the donor and ensuring maximum protection for the recipient through measures geared to the high quality and safety of blood and blood products, and agreed on the need to promote exchanges of information and experience between Member States in order to examine the problems connected with the implementation of these principles;

asked the Commission to pursue and intensify its work with a view to submitting to the Council as soon as possible its report on this issue, including the means of achieving self-sufficiency on a voluntary basis and with maximum safety, accompanied where appropriate by suitable proposals on the matter."

OTHER BUSINESS

The Council and the Ministers took note of the report, recently forwarded to them by the Commission, on the 1991 "Europe against Cancer" programme and of the Commission's intention of forwarding a report on the implementation of the Resolution on banning smoking in places open to the public by the end of the year.

The Council and the Ministers also heard an oral statement by the Commission on the Aids campaign and took note of the information

provided by the Commission on the implementation of the code of conduct to combat the use of drugs in sport.

The Council and the Ministers finally addressed the following points:

- an information note from the Presidency on areas covered by other Community policies which have an impact on health;
- the prices of medicinal products, at the request of the Danish delegation, and the future system for the free movement of medicinal products, at the request of the Spanish delegation;
- the conditions of treatment of drug addicts, at the request of the Portuguese delegation;
- humanitarian measures and measures by Ministers for Health, at the request of the French delegation.

Relations with Albania

Further to the approach worked out at the meeting of 11 May (see Press Release 6326/92 Presse 71), and without prejudice to possible new initiatives which might be warranted by developments in Albania, the Council decided to implement an aid operation for that country in the form of a grant in order to allow the financing of an import programme for raw materials, semi-manufactured goods and spare parts for Albanian industry.

The maximum amount of this Community aid operation is set at ECU 20 million. The Commission will implement the operation.

Bruxelles, le 14 mai 1992

NOTE BIO(92) 125 AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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PREPARATION DU CONSEIL SANTE DU 15 MAI 1992

Les Ministres de la Santé ne discuteront probablement pas demain quant au fond la proposition de la Commission d'interdire presque totalement la publicité en faveur des produits du tabac. Cinq délégations (DK,UK,D,NL,GR) maintiennent une réserve générale vis-à-vis de cette proposition de directive et ne considèrent pas opportun d'en discuter au Conseil compte tenu du fait que la proposition vient d'être transmise.

Il faut rappeler que la proposition de la Commission remplace la précédente proposition de la Commission du 19 avril 1990 qui visait la seule publicité par voie de presse et d'affiches dans les Etats membres autorisant cette publicité et qui s'était heurtée au niveau du Conseil du 3 décembre 1990 à une minorité de blocage (UK, D, NL).

Lors de l'examen de la nouvelle proposition au niveau technique et au niveau du Conseil du 11 novembre 1991, aux délégations UK, D, et NL se sont ralliées deux autres délégations (DK et GR) qui ont formulé une réserve générale vis-à-vis de cette proposition ainsi que vis-à-vis d'un compromis restrictif proposé par la Présidence.

Le Conseil n'a plus examiné cette proposition dans l'attente de l'avis du Parlement européen. Celui-ci a été rendu le 11 février 1992. La Commission a présenté une proposition modifiée reprenant un des douze amendements proposés par le Parlement européen (amendement qui, vu le caractère marginal de cet amendement, assouplit quelque peu les dispositions concernant la publicité indirecte et, insiste que le Conseil procède à un débat de fond).

Autre point de l'ordre du jour est la proposition de directive sur l'étiquetage des produits de tabac.

La proposition de la Commission vise à modifier la directive 89/622 concernant l'étiquetage des produits du tabac en prévoyant des avertissements spécifiques pour les produits du tabac autres que les cigarettes (qui sont couvertes par la directive 89/622). Elle vise en outre à interdire la commercialisation de certains tabacs à usage oral considérés comme dangereux.

Le Conseil a arrêté, le 11 novembre 1991, à la majorité qualifiée (D et I ayant voté contre), une position commune sur cette proposition.

Le Parlement européen, en deuxième lecture, a approuvé cette position commune avec un seul amendement. La Commission, dans sa proposition réexaminée, n'a pas repris cet amendement.

Autres points:

Nutrition et Santé. La Commission expliquera au Conseil les raisons pour lesquelles elle n'est pas favorable à l'initiative du Conseil qui en avait demandé à la Commission de lui présenter un programme d'action en la matière.

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Semaine européenne de prévention contre la drogue. Le Conseil est appelé à adopter un projet de déclaration élaboré par la Présidence en vue de la préparation de la semaine européenne de prévention de la drogue du 16 au 22 novembre prochain, dont le principe a été approuvé lors du Conseil européen à Maastricht.

Observatoire européen des drogues. Le Conseil est appelé à prendre acte de l'état des travaux sur cette proposition de règlement de la Commission qui vise à créer un observatoire européen des drogues ainsi qu'un réseau européen d'information.

Amitiés,


C. STATHOPOULOS

Bruxelles, le 15 mai 1992

NOTE BIO(92) 125 (suite 1 et fin) AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

CONSEIL SANTE DU 15 MAI 1992

Les résultats

Le Conseil a adopté, comme prévu, la directive pour l'étiquetage des produits de tabac et l'interdiction de commercialisation de certains tabacs à usage oral.

Il a eu un débat sur la proposition de directive qui vise à interdire la publicité en faveur des produits de tabac, mais une décision n'a pu être prise. Le Conseil a approuvé des conclusions concernant les maladies héréditaires, la toxicologie aux fins de la protection sanitaire, la nutrition et la santé. Il a adopté finalement une déclaration relative à la semaine européenne de la prévention de la drogue (voir IP(92)395).

L'interdiction de la publicité en faveur des produits de tabac

Le Conseil a eu un débat sur la proposition de directive que la Commission a présenté, mais, vu que la nouvelle proposition modifiée n'avait pas encore été examinée par les instances du Conseil, une décision a été reportée à une réunion ultérieure. Quatre délégations ont réitéré leurs réticences. Les britanniques et les néerlandais, tout en reconnaissant les dangers du tabagisme et la nécessité de réduire la publicité, se sont prononcés en faveur d'accords volontaires de l'industrie. La délégation allemande a même exprimé des doutes quant à l'impact de la publicité sur la consommation et annoncé qu'une étude était en préparation en Allemagne sur ce sujet. La délégation danoise s'est déclarée en faveur d'une interdiction, mais a posé la question de la liberté d'expression (va-t-on interdire par ex. la vente du TIME dans la Communauté ?). Enfin la délégation grecque a demandé qu'on continue l'examen de la proposition.

Répondant à ces critiques, Madame PAPANDREOU a exprimé son étonnement à cause du fait que certains Ministres de la Santé semblaient donner la priorité aux questions économiques et non pas aux préoccupations concernant la santé publique. Elle a rappelé les 440.000 décès par an prématurés dans la Communauté à cause du tabagisme, le fait que 60% des fumeurs ont commencé à fumer avant l'âge de 13 ans et que l'objectif de l'industrie du tabac est de recruter 5.000 nouveaux fumeurs par jour pour éviter une baisse de la consommation.

La liberté d'expression, a-t-elle dit, est garantie par la Convention Européenne des Droits de l'Homme qui prévoit pourtant dans son Art. 10 que cette liberté pourrait être limitée pour des raisons de santé publique.

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La circulation des périodiques des pays tiers dans la Communauté, a remarqué Mme PAPANDREOU, est un faux problème pour deux raisons. D'abord parce que par ex. TIME a déjà une édition sans publicité en faveur des produits de tabac pour des pays comme la Norvège ou la Nouvelle Zélande qui interdisent cette publicité. Mais aussi parce que le problème pourrait se poser demain pour la circulation des périodiques d'un pays de la Communauté dans un autre Etat membre. Par exemple, la France pourrait interdire la vente du SPIEGEL, l'Italie celle de l'ECONOMIST. Quant aux accords d'autolimitation même l'Association des médecins britanniques viennent de les considérer inefficace.

Enfin, le lien entre la publicité et la consommation est évident. Dans un pays comme la Norvège, le pourcentage des fumeurs parmi les jeunes s'est réduit, après l'interdiction de la publicité, de 44% à 28%.

Semaine européenne pour la prévention de la drogue

Le Conseil européen de Maastricht a approuvé le principe d'une semaine européenne de prévention de la drogue. Le Conseil a décidé que cette semaine se tiendra du 16 au 22 novembre 1992. Il a aussi adopté une déclaration qui, entre autre, considère que la lutte devra se concentrer en premier lieu sur la prévention, et plus particulièrement sur l'information et l'éducation à la santé auprès des jeunes, et lance un appel à la participation du public à la promotion de cette semaine.

Amitiés,


C. STATHOPOULOS