

## Indicative Implementation Plan (up to 2016) – Tobacco Products Directive

| No | Legal base:<br>Article of the<br>TPD<br>(2014/40/EU) | Type of<br>Commission<br>measure | Topic                                                              | Indicative<br>target date<br>for adoption<br>/<br>publication | Milestones:<br><br>Including involvement of Member States and stakeholders                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----|------------------------------------------------------|----------------------------------|--------------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Article 5(5)                                         | Implementing<br>act              | Revised<br>reporting<br>format for<br>ingredients<br>and emissions | Adopted on<br>25/11/2015                                      | <ul style="list-style-type: none"> <li>Commission Implementing Decision (EU) 2015/2186 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D2186&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D2186&amp;from=EN</a>)</li> <li>Final report of the external study published here:<br/><a href="http://ec.europa.eu/health/tobacco/docs/reportingformat_dataingredients_en.pdf">http://ec.europa.eu/health/tobacco/docs/reportingformat_dataingredients_en.pdf</a></li> </ul>                                                                                       |
| 2. | Article 6(1)                                         | Implementing<br>act              | Priority list of<br>additives                                      | Adopted on<br>18/05/2016                                      | <ul style="list-style-type: none"> <li>Commission Implementing Decision (EU) 2016/787 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0787&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0787&amp;from=EN</a>)</li> <li>SCENIHR Final opinion adopted on 25 January 2016:<br/><a href="http://ec.europa.eu/health/scientific_committees/emerging/docs/scenihr_o_051.pdf">http://ec.europa.eu/health/scientific_committees/emerging/docs/scenihr_o_051.pdf</a></li> <li>External contract:<br/><br/>→started 04/2015. Contract: DIRECT<sup>8</sup></li> </ul> |

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| 3. | Article 7(3) and (4) | Implementing acts | Uniform rules for the procedures for determining characterizing flavours + Procedures for the operation and establishment for the independent advisory panel | Adopted on 18/05/2016 | <ul style="list-style-type: none"> <li>• Commission Implementing Regulation (EU) 2016/779 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0779&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0779&amp;from=EN</a>)</li> <li>• Commission Implementing Decision (EU) 2016/786 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0786&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0786&amp;from=EN</a>)</li> <li>• External contract HETOC is being finalised🕒</li> </ul> |
| 4. | Article 9(6)         | Implementing act  | Positioning of the health warnings for roll-your-own                                                                                                         | Adopted on 24/09/2015 | <ul style="list-style-type: none"> <li>• Commission Implementing Decision (EU) 2015/1735 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2015_252_R_0016">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2015_252_R_0016</a>)</li> <li>• Final report of the external study published here: <a href="http://ec.europa.eu/health/tobacco/docs/specifications_warning_tobaccopackages_en.pdf">http://ec.europa.eu/health/tobacco/docs/specifications_warning_tobaccopackages_en.pdf</a></li> </ul>                                                                       |
| 5. | Article 10(3)(a)     | Implementing act  | Alignment of transposition deadlines for text and picture warnings                                                                                           | Adopted 13/07/2015    | <ul style="list-style-type: none"> <li>• Commission Directive (EU) 2015/1139 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1444661264678&amp;uri=CELEX:32015L1139">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1444661264678&amp;uri=CELEX:32015L1139</a>)</li> </ul>                                                                                                                                                                                                                                                                                                           |

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| 6. | Article 10(3)(b) / Article 9(2) of Directive 2001/37/EC | Delegated act    | New library of warning pictures                                          | Adopted 10/10/2014 | <ul style="list-style-type: none"> <li>Commission Delegated Directive 2014/109/EU (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1418817762056&amp;uri=OJ:JOL_2014_360_R_0007">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1418817762056&amp;uri=OJ:JOL_2014_360_R_0007</a>)</li> </ul>                                                                                                                                                                                                                                                                                                                                     |
| 7. | Article 10(4)                                           | Implementing act | Technical specifications for layout, design and shape of health warnings | Adopted 09/10/2015 | <ul style="list-style-type: none"> <li>Commission Implementing Decision (EU) 2015/1842 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1444810873600&amp;uri=OJ:JOL_2015_267_R_0003">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1444810873600&amp;uri=OJ:JOL_2015_267_R_0003</a>)</li> <li>Technical files made available to Member States in October 2015</li> <li>Final report of the external study published here: <a href="http://ec.europa.eu/health/tobacco/docs/specifications_warning_tobaccopackages_en.pdf">http://ec.europa.eu/health/tobacco/docs/specifications_warning_tobaccopackages_en.pdf</a></li> </ul> |
| 8. | Article 15(11)(a) and (b)                               | Implementing act | Technical standards for tracking and tracing system + compatibility      | Q4 2017            | <ul style="list-style-type: none"> <li>External contract : <ul style="list-style-type: none"> <li>→ <a href="#">Feasibility Study</a> started 11/2013, published 7/05/2015 Contract: EUROGROUP CONSULTING PORTUGAL - CONSULTORIA EM GESTÃO, LDA</li> <li>→ Stakeholder involvement started Q1 2014*</li> </ul> </li> <li><a href="#">Targeted stakeholder consultation of the Feasibility Study</a> (consultation period: 7/05/2015 to 31/07/2015)</li> <li>Follow up study</li> <li>Member States/Expert Group consultations</li> <li>Adoption by the Commission</li> </ul>                                                                     |

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| 9.  | Article 15(12) | Delegated act    | Definition of key elements of data storage contracts                  | Q4 2017 | <ul style="list-style-type: none"> <li>External contract : <ul style="list-style-type: none"> <li>→ <a href="#">Feasibility Study</a> started 11/2013, published 7/05/2015 Contract: EUROGROUP CONSULTING PORTUGAL - CONSULTORIA EM GESTÃO, LDA</li> <li>→ Stakeholder involvement started Q1 2014*</li> </ul> </li> <li><a href="#">Targeted stakeholder consultation of the Feasibility Study</a> (consultation period: 7/05/2015 to 31/07/2015)</li> <li>Follow up study</li> <li>Member States/Expert Group consultations</li> <li>Adoption by the Commission</li> </ul> |
| 10. | Article 16(2)  | Implementing act | Technical standards for security features and their possible rotation | Q4 2017 | <ul style="list-style-type: none"> <li>External contract : <ul style="list-style-type: none"> <li>→ <a href="#">Feasibility Study</a> started 11/2013, published 7/05/2015 Contract: EUROGROUP CONSULTING PORTUGAL - CONSULTORIA EM GESTÃO, LDA</li> <li>→ Stakeholder involvement started Q1 2014*</li> </ul> </li> <li><a href="#">Targeted stakeholder consultation of the Feasibility Study</a> (consultation period: 7/05/2015 to 31/07/2015)</li> <li>Follow up study</li> <li>Member States/Expert Group consultations</li> <li>Adoption by the Commission</li> </ul> |

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| 11. | Article 20(10) | Report           | Potential health risks to public health from refillable electronic cigarettes | Adopted on 20/05/2016 | <ul style="list-style-type: none"> <li>COM/2016/0269 final (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=COM:2016:269:FIN&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=COM:2016:269:FIN&amp;from=EN</a> )</li> <li>External contract PRECISE is being finalised ⌚</li> </ul>                                                                                                                                                                                                                                                        |
| 12. | Article 20(13) | Implementing act | Technical standards for the refill mechanism for electronic cigarettes        | Adopted on 14/04/2016 | <ul style="list-style-type: none"> <li>Commission Implementing Decision (EU) 2016/586 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.101.01.0015.01.ENG&amp;toc=OJ:L:2016:101:TOC">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.101.01.0015.01.ENG&amp;toc=OJ:L:2016:101:TOC</a>)</li> <li>External contract is PRECISE is being finalised ⌚</li> </ul>                                                                                                                                                             |
| 13. | Article 20(13) | Implementing act | Reporting format for electronic cigarettes                                    | Adopted on 24/11/2015 | <ul style="list-style-type: none"> <li>Commission Implementing Decision (EU) 2015/2183 (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D2183&amp;qid=1448548787711&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D2183&amp;qid=1448548787711&amp;from=EN</a>)</li> <li>Final report of the external study published here: <a href="http://ec.europa.eu/health/tobacco/docs/reportingformat_dataingredients_en.pdf">http://ec.europa.eu/health/tobacco/docs/reportingformat_dataingredients_en.pdf</a></li> </ul> |

<sup>i</sup> This table will be updated at regular intervals. The hourglass ⌚ shows the on-going stage(s) of the process.

\* Stakeholders are in the first place involved in the context of the on-going external contracts. Once gathering their input has started (as shown by this table), stakeholders who have not been approached but who wish to be involved may send a request to the functional mailbox: SANTE-B2-TOBACCO-CONTROL@ec.europa.eu. DG SANTE will forward the requests to the contractor who will decide on the way forward depending on the type of stakeholder, information provided by comparable stakeholders, time constraints etc. Further exchanges/involvement may be carried out as appropriate.

HETOC = Health Effects Tobacco Composition (Consortium), September 2013, led by National Institute of Public Health and the Environment (RIVM), Bilthoven, the Netherlands. DIRECT = Database of Industry Research on the addictive and Carcinogenic additives in Tobacco, led by Biomedical Research Foundation, Academy of Athens (BRFAA). PRECISE = Potential Risks from Electronic Cigarettes & Their Technical Specifications led by Biomedical Research Foundation, Academy of Athens (BRFAA)

NB: This table includes the most important delegated and implementing tasks for the Commission, which need to be adopted in the next three years. The table is by no means exhaustive and more tasks might be added, e.g. in case of triggering events (such as “substantial change of circumstances”).