



European Commission
Ms Ilze JUHANSONE
Secretary-General
Rue de la Loi 200
1040 Brussels

Brussels, 14 April 2021

Ref. objection against validation event

Dear Ms Juhansonne,

As a professional body representing the interests of major manufacturers of tobacco and alternative products, Tobacco Europe is deeply attached to the Better Regulation principles as defined and approved by the Commission.

In particular, we value the possibility of imputing our views and findings where EU institutions are assessing the effectiveness of existing pieces of legislation applicable to our sector.

In assessing the effectiveness of the Tobacco Product Directive, an essential part of review is the study carried out by outside consultant ICF on the functioning of the TPD. We thank the Commission for the opportunity that was open to economic operators like our members to provide feedback in 2019 and 2020 to their consultant ICF. However, we cannot refrain from expressing our concerns on the manner in which the restitution of this input was handled recently.

Indeed, on 18th March, industry stakeholders were invited to a 'validation workshop' on the findings of the study, with DG SANCO as observer.

We have the following objections against the way this meeting was managed:

- The term validation is misleading as economic operators had no other role than to listen to the presentation of the study. Indeed, 30 minutes of the workshop was to be shared between 60 economic operators, making impossible any substantial discussion and making this section meaningless



- Would time have been sufficient, Operators cannot comment let alone validate a study on the basis of a 3-page summary of report stretching more than 200 pages.
- Moreover, the findings were shared with stakeholders only a few working days before the event.

The importance of this study is such that economic operators should be given full access to the report before publication and should be given the opportunity to comment with enough lead time to make a meaningful contribution

Consequently, we do not consider this workshop as a "validation" step and our participation should in no way be taken as approving or validating anything in the three pages summary, let alone the still-unpublished report from ICF.

We remain more than ever attached to a substantial exchange with the Commission or its appointed consultants, and we respectfully ask the Commission to apply the Better Regulation principles in a practical manner that is faithful to its spirit.

We thank you for your consideration to this matter and assure you of our respect,

With high regards

A handwritten signature in blue ink that reads "Maurits Bruggink".

Maurits Bruggink
Secretary General