



Mr Rana Pant  
Unit B.3  
DG Environment  
European Commission

1 July 2020

**Single Use Plastics & Marking Requirements**

Dear Mr Pant

The Industry Working Group made up of the members of Tobacco Europe (Japan Tobacco International, Imperial Brands and British American Tobacco) and Philip Morris International welcome the opportunity to provide more information around our concerns regarding the implementation of Article 7 of the Directive on Single Use Plastics (SUP).

As a result of the unprecedented challenges posed by the Covid 19 pandemic, our working assumption is that the adoption of the Implementing Act concerning on-pack marking requirements for tobacco products (originally foreseen by Article 7(2) for 3 July 2020) is now delayed until December 2020, with the compliance date remaining as 3 July 2021.

This delay is problematic as the technical lead time to change packaging designs requires approximately 12 months from the time when technical specifications become available to the compliance date for products placed on the market.

While the original period of 12 months as set out in the Directive did match with these technical requirements, we fear that the delayed adoption of the Implementing Act, which as stated is due to circumstances beyond the control of EU or Member State regulators as well as the industry will limit our ability to change packaging designs for the new marking requirements in due time. This would inevitably result in finished goods and already produced packaging materials having to be destroyed, generating unnecessary packaging material waste.

Given this challenge, it would be helpful if the Commission was able to consider advising Member States to delay enforcement of the new marking requirements to **1 January 2022**. This would allow for, in each Member State, the implementation of the new marking together with the annual rotation of the Combined Health Warning (prescribed by the Tobacco Products Directive) in an efficient manner.

To illustrate the logistical complexity our supply chain faces, we are also sharing an overview of the annual rotation timelines for applying the combined health warning on unit packaging. As you will see, there is a wide variation across the member states, which I hope gives you more insight into our request for a delay to enforcement.

We hope it is possible for the Commission to consider this request and to provide our sector with clarity for planning assumptions that need to be taken in due course. We stand ready to explore this with you in more detail at your earliest convenience.

Yours sincerely

A handwritten signature in black ink, appearing to read "Alisdair Gray".

Alisdair Gray  
Tobacco Europe

*Tobacco Europe AISBL*  
Rue Montoyer, 10  
B- 1000 Brussels

[info@tobacco-europe.eu](mailto:info@tobacco-europe.eu) - Registered number 089 438 919