



COMMISSION OF THE EUROPEAN COMMUNITIES

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Amended proposal for a

COUNCIL RECOMMENDATION

on the drinking of alcohol by children and adolescents

(presented by the Commission pursuant to Article 250 (2)
of the EC Treaty)

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(Text with EEA relevance)

1. BACKGROUND

- Date of transmission of the proposal to the Council (COM(2000)736 final): 28.11.2000.
- Date of transmission of the proposal by the Council to the European Parliament (Consultation Procedure (COM(2000)736-2001/0801(CNS))): 16.01.2001.
- Date of the opinion of the European Parliament (PE A5-150/01): 16.05.2001.

2. PURPOSE OF THE PROPOSAL

The proposal for a Council Recommendation recommends the development and implementation of appropriate comprehensive health promotion policies with regard to alcohol and young people at local, national and EU level. The Member States are invited to take action to address the problems caused by alcohol consumption of young people through education and information, and to strengthen the enforcement of regulatory control, e.g. rules on alcohol sales, drink driving and advertising.

The proposed recommendations also ask Member States to call on alcohol producers and retailers to communicate responsibly and to enforce self-regulatory rules on advertising. National governments are invited to elaborate or further develop codes of conduct with the concerned industry to ensure that alcoholic products are not targeted to young people or designed or promoted to appeal particularly to them.

3. POSITION OF THE COMMISSION WITH REGARD TO THE AMENDMENTS VOTED BY THE EUROPEAN PARLIAMENT

Following the debate on this Recommendation on 15 May 2001, The European Parliament adopted the following amendments on 16 May: 1-6, 8, 9 (1st part), 10-11, 12 (2nd part), 14-18, 19 (1st part), 20-40, 42-46, 48-56. The proposal as amended was adopted by a large majority; and the legislative resolution by 445 votes in favour, 63 votes against and 21 abstentions.

Of these, Commissioner Byrne had indicated on 15 May in the Plenary that the Commission could accept, in full or in part, the following amendments: 1, 8, 10, 11, 15, 17, 18, 21, 22, 24, 27, 30, 31, 33, 34, 35, 38, 39, 40, 42, 49, 50, 51 and 52.

3.1. The following amendments are accepted in full: 1, 8, 10, 11, 18, 27, 30, 31 and 34.

The reasons to accept these amendments in full can be summarised as follows:

Amendment 1: the new wording proposed for Recital 4 is more explicit and reflects the statements of the Commission's communication on road safety.

Amendment 8: it seems indeed advisable to accept the proposed re-wording of Recital 15, in order to underline more clearly the need for more research including more extensive and consistent data collection.

Amendment 10: it seems advisable indeed to improve paragraph 1 by highlighting the need to promote research and data collection. It also makes sense to underline the need to enable young people to make informed choices and in this context to also mention the regional level.

Amendment 11: this new paragraph 1a adds value to the statement in paragraph 1 by adding a reference to alcohol as one of the important health determinants. Including elements of amendment 17 it now reads: **“support the study of alcohol consumption as one of the health determinants on the basis of which the consequences at local, national, regional and Community level could be assessed and encourage in this context the development of data banks to address systematically all relevant issues with regard to alcohol and health”** (See also amendment 17).

Amendment 18: student organisations should indeed be mentioned here in paragraph 5 together with youth and sport organisations; peer pressure, parental abuse and lack of self-esteem are important areas of concern; to help to eliminate negative images associated with alcohol-free alternatives is a valid aim.

Amendment 27: it is important to strengthen the role of young people in paragraph 11; to replace the words “into start drinking at worrying levels” by “to make harmful use of alcohol” is also acceptable.

Amendment 30: to replace “call upon” the producers and retailers to enhance self-regulatory control by “require...” is an acceptable terminology change in paragraph 13.

Amendment 31: to replace “seek agreement” of manufacturers and retailers by “require...” is an equally acceptable change of the wording in paragraph 14.

Amendment 34: to add a new indent 10 under paragraph 15b, concerning **“the use of misleading brand names”**, is a valid clarification which also implicitly includes a reference to “alcopops” (the starting point for the drafting of this recommendation).

3.2. The following amendments are accepted in part or in a redrafted form: 15, 17, 21, 22, 24, 33, 35, 38, 39, 40, 42, 49, 50, 51 and 52.

Amendment 15: NGOs have to play a role in this field and should be mentioned in paragraph 10 (foster a multi-centre approach to educate young people). Paragraph 10 now therefore reads as follows: **“Foster a multi-centre approach, to educating young people about the use and abuse of alcohol, in order to help prevent its abuse, including, where appropriate, the education, health and youth services, law enforcement agencies, non-governmental organisations and the media.”**

Amendment 17: the aspect of data-banks is to be mentioned within the context of research and data collection. Paragraph 1a (new) now therefore reads as follows: **“Support the study of alcohol consumption as one of the health determinants on the basis of which the consequences at local, national, regional and Community level could be assessed and encourage in this context the development of data banks to address systematically all relevant issues with regard to alcohol and health”** (see also amendment 11).

Amendment 21: it is important to include retailers in the responsibility to train servers and salespersons with regard to the protection of young people and to add a reference to existing licensing restriction; paragraph 6 now therefore reads as follows: **“Encourage the producers and retailers of alcoholic beverages in their efforts to develop specific training for servers and salespersons with regard to the protection of children and adolescents and with regard to existing licensing restrictions on the sale of alcohol to young people, and with regard to the need to keep alcoholic drinks in sales areas strictly apart from non-alcoholic drinks.”** (See also amendment 42).

Amendment 22: to produce advisory materials in consultation with young people is a valid suggestion; teachers and educators have an important role in health promotion; to include the media and the workplace is justified. Paragraph 7 reads therefore as follows: **“Encourage the production, whenever appropriate in consultation with young people, of advisory materials for parents, schoolteachers and educators to help them discuss alcohol issues with children and adolescents, and promote their dissemination via local networks such as schools, health care services, workplaces, libraries, community centres, as well as via the Internet and any other media.”**

Amendment 24: it is a valid aspect to make sure that underage consumers are not targeted with misleading brand names. Paragraph 15a will therefore now read as follows: **“Ensure that the manufacturers do not target alcoholic products at children and adolescents, inter alia by using misleading brand names.”** (See also amendment 33).

Amendment 33: this amendment proposes a re-wording of paragraph 15a which is also covered through amendment 24; it now reads: **“Ensure that the manufacturers do not target alcoholic products at children and adolescents, inter alia by using misleading brand names.”** (See amendment 24).

Amendment 35: this amendment proposes to make a reference to the need to reduce the risk of confusion between alcoholic and non-alcoholic beverages. A new indent 11 under paragraph 15(b) now covers this issue: “- **the risk of confusion between non-alcoholic beverages and alcoholic beverages.**”

Amendment 38: it seems helpful to make a reference under paragraph 15b to specific types of drinks which are targeted at the young population: the first sentence of paragraph 15b now therefore reads: “**Ensure that alcoholic beverages are not designed or promoted to appeal particularly to children or adolescents, e.g. alcopops or ‘synthetic drinks’, and covering inter alia the following elements:**”.

Amendment 39: it makes sense to clarify that advertising can be directed separately towards children or adolescents, or to both groups at the same time. Indent 8 of paragraph 15b therefore reads: “- **advertising in print and other media directed towards children and/or adolescents**” (See also amendment 40).

Amendment 40: advertising on Television is regulated at EU level, and there are also national regulations on radio. It seems therefore advisable to speak about ‘media’ more in general, avoiding conflict with existing regulation. Indent 8 of paragraph 15b therefore reads now: “- **advertising in print and other media directed towards children and/or adolescents**”. (See also amendment 39).

Amendment 42: to keep alcoholic drinks in sales areas apart from non-alcoholic drinks is an important part of the training for sales persons. Paragraph 6 therefore now reads as follows: “**Encourage the producers and retailers of alcoholic beverages in their efforts to develop specific training for servers and salespersons with regard to the protection of children and adolescents and with regard to existing licensing restrictions on the sale of alcohol to young people, and with regard to the need to keep alcoholic drinks in sales areas strictly apart from non-alcoholic drinks.**” (See also amendment 21).

Amendment 49: it is indeed needed to emphasise the role of the new Public Health Action Programme and the ‘health in other policies’ approach with regard to possible alcohol policy developments within the proposed Recommendation. Under ‘Follow-up at Community level’ a new paragraph (4) is proposed to cover these issues: “**To make full use of all Community policies, particularly of the programme of action in the field of public health, in order to address the matters covered in this recommendation.**”

Amendment 50: the proposed inclusion of alcohol in EU programmes aimed at young people is implicitly covered in the new paragraph covering the health in other policies approach (see amendment 49).

Amendment 51: it is valid to emphasise the need for co-operation with the World Health Organisation. Paragraph 2 under ‘Follow-up at Community level’ therefore now reads: “**To follow-up, assess and monitor the developments and the measures undertaken in the Member States and at Community level, to co-operate, whenever appropriate, with the World Health Organisation, and to ensure in this context a continuous, constructive and structured dialogue with all interested parties;**”

Amendment 52: it seems indeed advisable to shorten the duration of the recommendation and to refer to regular reporting thereafter. Paragraph 3 under 'Follow-up at Community level' therefore now reads: **“To report on the implementation of the proposed measures, on the basis of the information provided by Member States, not later than the end of the fourth year after the date of adoption of this recommendation, and then regularly thereafter, to consider the extent to which the proposed measures are working effectively, and to consider the need for further action.**

4. CONCLUSION

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.

Done at Brussels,

*For the Council
The President*