

(2004/C 33 E/036)

WRITTEN QUESTION E-0339/03**by Horst Schnellhardt (PPE-DE) to the Commission***(10 February 2003)**Subject: Ban on chocolate cigarettes*

A letter from the Federal Ministry for Consumer Protection, Food and Agriculture of the Federal Republic of Germany announces measures drawn up by the European Commission designed to restrict advertising campaigns which seek to promote the consumption of tobacco by children and young people. In this connection, consideration would also be given to a ban on the manufacture, import and sale of sweets and toys which look like tobacco products.

1. On what basis and when will a measure of this nature be drawn up?
2. How are the objectives set out above to be attained?

Answer given by Mr Byrne on behalf of the Commission*(3 March 2003)*

Banning the sales of chocolate cigarettes is not a measure adopted by the Commission. Rather, such a prohibition is part of the Recommendation on the Prevention of Smoking and on Initiatives to Improve Tobacco Control, which the Council adopted on 2 December 2002 upon a proposal by the Commission under Article 152 paragraph 4 of the EC Treaty⁽¹⁾. With regard to this proposal of the Commission the Parliament adopted a resolution⁽²⁾ which as modification 5 contains the following new paragraph under point 1(d) of the Commission's proposal:

(da) By prohibiting the production, importation and sale of edible products and toys in the form of tobacco products.

The definitive version of the Recommendation adopted by the Council follows this suggestion with a different wording:

(e) Prohibiting the sale of sweets and toys intended for children and manufactured with the clear intention that the product and/or packaging would resemble in appearance a type of tobacco product.

As the name implies this Recommendation of the Council is not legally binding. It is, therefore, left to Member States to decide in which way they will follow-up the Council's Recommendation to prohibit the sale of products like chocolate cigarettes.

⁽¹⁾ Council Recommendation 2003/54/EG of 2 December 2002 on the Prevention of Smoking and on Initiatives to Improve Tobacco Control – OJ L 22, 25.1.2003.

⁽²⁾ 2002/2167 INI.

(2004/C 33 E/037)

WRITTEN QUESTION E-0391/03**by Alexandros Alavanos (GUE/NGL) to the Commission***(13 February 2003)**Subject: Eco-label*

The introduction of an eco-label in Regulation (EEC) 880/92⁽¹⁾, recently amended by Regulation (EC) 1980/2000⁽²⁾, is intended to make it easier for consumers to identify environmentally-friendly products which have been officially approved by the EU and to encourage enterprises to develop projects having the necessary specifications. Criteria have now been adopted for 19 categories of product, and in the long term it is intended to establish 35 such categories.