



Plenary sitting

B10-0173/2024

20.11.2024

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 136(2) of the Rules of Procedure

on the Council's recommendation on smoke- and aerosol-free environments
(2024/2911(RSP))

Vlad Vasile-Voiculescu
on behalf of the Renew Group

B10-0173/2024

European Parliament resolution on the Council’s recommendation on smoke- and aerosol-free environments (2024/2911(RSP))

The European Parliament,

- having regard to the Treaty on the Functioning of the European Union, and in particular Article 168 thereof,
- having regard to Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC¹ (the Tobacco Products Directive),
- having regard to Regulation (EU) 2021/522 of the European Parliament and of the Council of 24 March 2021 establishing a Programme for the Union’s action in the field of health (‘EU4Health Programme’) for the period 2021-2027, and repealing Regulation (EU) No 282/2014²,
- having regard to its resolution of 26 November 2009 on smoke-free environments³,
- having regard to its resolution of 16 February 2022 on strengthening Europe in the fight against cancer – towards a comprehensive and coordinated strategy⁴,
- having regard to its resolution of 23 November 2022 on prevention, management and better care of diabetes in the EU on the occasion of World Diabetes Day⁵,
- having regard to its resolution of 13 December 2023 on non-communicable diseases (NCDs)⁶,
- having regard to the Commission communication of 3 February 2021 entitled ‘Europe’s Beating Cancer Plan’ (COM(2021)0044),
- having regard to the Commission proposal of 17 September 2024 for a Council recommendation on Smoke- and Aerosol-Free Environments replacing Council Recommendation 2009/C 296/02 (COM(2024)0055),
- having regard to the Commission initiative entitled ‘Healthier together – EU non-communicable diseases initiative’, launched in December 2021,

¹ OJ L 127, 29.4.2014, p. 1, ELI: <http://data.europa.eu/eli/dir/2014/40/oj>.

² OJ L 107, 26.3.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/522/oj>.

³ OJ C 285E, 21.10.2010, p. 63.

⁴ OJ C 342, 6.9.2022, p. 109.

⁵ OJ C 167, 11.5.2023, p. 36.

⁶ OJ C, C/2024/4171, 2.8.2024, ELI: <http://data.europa.eu/eli/C/2024/4171/oj>.

- having regard to the UN Sustainable Development Goals, in particular Goal 3, ‘Good health and well-being’,
 - having regard to the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) of 21 May 2003,
 - having regard to Rule 136(2) of its Rules of Procedure,
- A. whereas the tobacco epidemic is one of the biggest public health threats the world has ever faced, killing more than 8 million people year globally⁷;
 - B. whereas the market for and use of new and emerging tobacco, nicotine and non-nicotine products, such as electronic cigarettes (e-cigarettes) and heated tobacco products (HTPs), is rapidly growing⁸;
 - C. whereas second-hand smoke causes premature deaths and increases the risk of developing a wide range of non-communicable diseases including cancer, cardiovascular diseases and chronic respiratory diseases; whereas aerosols from new and emerging products emit fine and ultra-fine particles, posing a health risk not only to the user but also to bystanders;
 - D. whereas new and emerging products that emit aerosols contain dangerous chemical substances known to have toxic and carcinogenic properties, such as formaldehyde, acetaldehyde, and acrolein^{9,10};
 - E. whereas smoking harms nearly every organ of the body and causes many diseases, including cancer, heart disease, stroke, lung diseases, type 2 diabetes and chronic obstructive pulmonary disease;
 - F. whereas second-hand smoke and aerosol exposure disproportionately impacts vulnerable groups, including children, pregnant women and older people;
 - G. whereas Europe’s Beating Cancer Plan sets the goal of creating a tobacco-free generation by 2040, with less than 5 % of the population using tobacco; whereas the expansion of smoke-free environments has already contributed to improvements in both mortality and morbidity rates;

⁷ WHO, ‘Tobacco fact sheet’, 2020, <https://www.who.int/docs/default-source/campaigns-and-initiatives/world-no-tobacco-day-2020/wntd-tobacco-fact-sheet.pdf>.

⁸ Commission report of 15 June 2022 on the establishment of a substantial change of circumstances for heated tobacco products in line with Directive 2014/40/EU (COM(2022)0279).

⁹ Almeida-da-Silva, C. et al., ‘Effects of electronic cigarette aerosol exposure on oral and systemic health’, *Biomedical Journal*, Vol. 44, Issue 3, 24 July 2020, pp. 252-259, <https://pmc.ncbi.nlm.nih.gov/articles/PMC8358192/>.

¹⁰ Pieper, E. for the German Federal Institute for Risk Assessment, ‘Health risk assessment: Novel Tobacco Products, E-Cigarettes and related products’, presentation for the European Parliament’s Committee on Economic and Monetary Affairs, Committee on Employment and Social Affairs, Committee on the Environment, Public Health and Food Safety, Committee on Industry, Research and Energy, and Committee in the Internal Market and Consumer Protection, [https://www.europarl.europa.eu/cmsdata/259012/EP%20Presentation%201%20-%20Elke%20Pieper%20\(BfR\).pdf](https://www.europarl.europa.eu/cmsdata/259012/EP%20Presentation%201%20-%20Elke%20Pieper%20(BfR).pdf).

- H. whereas, among adult respondents to the May-June 2023 Eurobarometer on the attitudes of Europeans towards tobacco and related products¹¹, 3 % are current users of e-cigarettes and 2 % are regular users of HTPs, their number having increased significantly since 2020;
- I. whereas a concerning aspect of the uptake of new and emerging tobacco, nicotine and non-nicotine products is their appeal among young people and in some cases even children;
- J. whereas according to the Eurobarometer survey, 54 % of current and past smokers started smoking before the age of 19 and 14 % started before the age of 15;
- K. whereas the Eurobarometer data indicates that 74 % of respondents experienced people smoking on outdoor terraces and 71 % of respondents experienced people using e-cigarettes and HTPs in the same places; whereas there is strong public support for banning smoking in outdoor spaces where social distancing cannot be ensured, including parks, beaches, and entrances of public buildings;
- L. whereas the current Council Recommendation (2009/C 296/02)¹² sets out recommendations for the Member States to implement the WHO FCTC, and thus provides guidance for them to comply with their legal commitments to protect people from second-hand smoke in all indoor workplaces and indoor public spaces, and on all public transport;
- M. whereas all the Member States are parties to the WHO FCTC, and Principle 1 of the Council Recommendation's guidelines for the implementation of Article 8 stipulates the total elimination of smoking and tobacco smoke in specific spaces or environments to protect against exposure and create a 100 % smoke-free environment;
- N. whereas the Conference of the Parties to the WHO FCTC recognises HTPs as tobacco products, which are subject to the provisions of the WHO FCTC, as noted in Decision FCTC/COP8(22)¹³; whereas parties to the WHO FCTC are urged to prioritise measures that protect people from exposure to the emissions of HTPs and to explicitly extend smoke-free environment laws to include HTPs;
- O. whereas the regulation of HTPs and new and emerging nicotine and non-nicotine products remains fragmented across the EU, making it difficult for national authorities to enforce national legislation;
- P. whereas the proposed revision of the Council Recommendation on smoke-free environments (the Commission proposal) aims to better protect people, especially children, young people and pregnant women, from the effects of second-hand smoke and aerosols, and recommends extending smoke-free environment policies to key outdoor areas such as public playgrounds, amusement parks, swimming pools,

¹¹ European Commission: Directorate-General for Communication and Directorate-General for Health and Food Safety, 'Special Eurobarometer 539: Attitudes of Europeans towards tobacco and related products – May-June 2023', 2024, <https://data.europa.eu/doi/10.2875/020758>.

¹² OJ C 296, 5.12.2009, p. 4.

¹³ Decision FCTC/COP8(22) of the Conference of the Parties to the WHO Framework Convention on Tobacco Control of 6 October 2018 entitled 'Novel and emerging tobacco products'.

healthcare and education premises, public buildings and transport stations;

- Q. whereas the Commission proposal also recommends that the Member States extend smoke-free environment policies to new and emerging products such as HTPs and e-cigarettes, and that they exchange best practices and strengthen international cooperation to maximise the impact of the measures taken across the EU;
- R. whereas the Commission will provide support through a direct grant of EUR 16 million from the EU4Health Programme, while EUR 80 million from the Horizon Europe Programme has already been dedicated to reinforcing the regulation of tobacco, nicotine and related products and the prevention of addiction; whereas the Commission will also develop a prevention toolkit to support the protection of children and young people's health;
- S. whereas the implementation of the recommendation should be monitored regularly to measure progress towards achieving its objectives and identify gaps in the efforts to extend smoke- and aerosol-free environments;

General

1. Reiterates its strong and continued support for the goal of creating a tobacco-free generation by 2040, as set out in Europe's Beating Cancer Plan; underlines the necessity of stepping up efforts to ensure that this aim is actually achieved;
2. Welcomes the proposal for an updated Council recommendation; considers the rise in the use of HTPs, e-cigarettes and other aerosol-emitting products in public outdoor and indoor spaces to be a risk to public health;
3. Underlines that there are no proven safe levels of exposure to smoke and aerosols;
4. Underlines that smoke-free environment laws protect and serve to protect the health of non-smokers and are popular, as they encourage smokers to quit¹⁴;
5. Calls on the Member States to extend bans on public smoking to HTPs, e-cigarettes, and other aerosol-emitting products;
6. Calls on the Member States to extend such bans to key outdoor areas, including outdoor restaurants, cafés and bars, workplaces, areas close to healthcare facilities, educational establishments, healthcare and other care facilities, public transportation including bus and tram stops, train stations and platforms, airports and recreational areas and other areas of congregation and high congestion;
7. Considers that such bans should be designed in such a way as to ensure the highest possible protection for children, young people and pregnant women;
8. Calls on the Commission and the Member States to undertake studies and encourage further research on the risks associated with second-hand exposure to HTPs and

¹⁴ WHO, 'Tobacco fact sheet', 2020, <https://www.who.int/docs/default-source/campaigns-and-initiatives/world-no-tobacco-day-2020/wntd-tobacco-fact-sheet.pdf>.

aerosols, including from e-cigarettes;

9. Expresses concern over the growing public health risks posed by the rise in black-market vaping products; emphasises that the lack of control over the safety and origins of these products jeopardises public health; calls on the Commission and the Member States to impose stronger measures to prevent the illegal entry onto the market of such products;
10. Welcomes the fact that the Commission provides, through the EU4Health Programme, funding to support the Member States in implementing health policies including these recommended measures; is gravely concerned, however, about the lack of long-term investments in health;
11. Calls on the Commission to propose, within this parliamentary term, a revision of the Tobacco Products Directive after having followed up on the scientific evaluations of the health risks related to e-cigarettes, HTPs and novel tobacco products, including an assessment of the risks of using these products compared to consuming other tobacco products;

Reporting

12. Invites the Commission to report to the Parliament and the Council, four years after the adoption of this resolution on the progress in its implementation and the implementation of the Council recommendation in the Member States;

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13. Instructs its President to forward this resolution to the Member States, the Council, the Commission and the World Health Organization.