



Plenary sitting

B10-0177/2024

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))

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B10-0177/2024

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,
- 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, based on the report of its Special Committee on Beating Cancer,
- having regard to its resolution of 13 December 2023 on non-communicable diseases (NCDs)⁵,
- 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 report of 9 September 2024 entitled ‘The future of European competitiveness – A competitiveness strategy for Europe’,
- having regard to the Better Regulation guidelines and toolbox,
- having regard to the question to the Council on the revised Council recommendation on smoke- and aerosol-free environments (O-000013/2024),
- having regard to Rule 136(2) of its Rules of Procedure,

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

- A. whereas, every year in the EU, 700 000 people lose their lives as a result of cancers attributed to smoking; whereas exposure to second-hand smoke is a public health concern;
- B. whereas heated tobacco products and e-cigarettes appear, based on current knowledge, to present a lower risk than conventional cigarettes;
- C. whereas the market for and use of new and emerging tobacco, nicotine and non-nicotine products, such as electronic cigarettes and heated tobacco products, is growing rapidly because they help smokers to quit, according to consumers;
- D. whereas second-hand smoke from traditional tobacco products causes premature deaths and increases the risk of developing a wide range of non-communicable diseases, including cancer, cardiovascular diseases and chronic respiratory diseases;
- E. whereas second-hand smoke exposure has an unfair and disproportionate impact on certain groups of people including children, persons with asthma, pregnant women and the elderly;
- F. whereas Europe's Beating Cancer Plan sets the goal of creating a 'tobacco-free generation' by 2040 where less than 5 % of the population uses tobacco, compared to around 24 % today, and whereas enabling smoke-free environments plays a role in achieving this goal;
- G. whereas Parliament has called on the Commission to follow up on the scientific evaluations of the health risks related to electronic cigarettes, heated tobacco products and novel tobacco products, including assessments of the risks of using these products compared to consuming other tobacco products;
- H. whereas the Commission report entitled 'The future of European competitiveness – A competitiveness strategy for Europe' highlights the need to make Europe more competitive through innovation and regulatory reform; whereas the report emphasises that inconsistent and restrictive regulations hinder innovative companies at every stage, with the precautionary principle approach posing a significant threat to innovation and growth; whereas it also notes that over 60 % of EU companies view regulation as an obstacle to investment, with 55 % of small and medium-sized enterprises (SMEs) identifying regulatory obstacles and administrative burdens as their greatest challenges;
- I. whereas the tourist sector is vital to the EU economy, directly employing approximately 11.4 million people, contributing around 4.5 % to the EU gross value added; whereas the tourism sector comprises over 2.4 million companies, 99 % of which are SMEs;
- J. whereas the proposal recommends that Member States extend smoke-free environment policies to some outdoor areas, with the objective of better protecting people in the EU, particularly children, young people and pregnant women; whereas these areas include outdoor recreational areas where children are likely to congregate such as public playgrounds, amusement parks and swimming pools, outdoor areas connected to healthcare and education premises, and public buildings;
- K. whereas the Commission proposal also recommends that Member States apply smoke-

free environment policies to any new or emerging aerosol-emitting products in a manner equivalent to how they are applied to smoking tobacco products; whereas the Commission has not conducted a proper impact assessment of this recommendation or assessed the relative health risks of new and emerging products compared to traditional cigarettes; whereas its approach is not backed by scientific evidence;

- L. whereas the proposal also encourages Member States to exchange best practice and strengthen international cooperation to maximise the impact of the measures taken across the EU;
- M. whereas, according to the 2023 Eurobarometer on the attitudes of Europeans towards tobacco and related products (Eurobarometer 539), 36 % of respondents who began using e-cigarettes indicated that their primary motivation was to quit smoking or reduce their cigarette consumption, representing a 56 % increase compared to the previous survey; whereas more than half of the Eurobarometer's respondents reported that e-cigarettes helped them reduce or quit smoking;
- N. whereas this data confirms the conclusions already drawn up in the 2021 Eurobarometer on the attitudes of Europeans towards tobacco and electronic cigarettes (Eurobarometer 506), showing that a significant and growing number of smokers were able to stop smoking completely thanks to the use of electronic cigarettes;
- O. whereas data from Eurobarometer 539 indicate that 74 % of respondents experienced people smoking in outdoor terraces of a drinking or eating establishment and 71 % of respondents experienced people using electronic cigarettes and heated tobacco products in the same places; whereas these figures underline that businesses in the HORECA sector (representing hotels, restaurants, cafés and bars including those with outdoor spaces, particularly on the pavement of a street or in a square, equipped with tables and chairs for customers) are particularly sensitive to smoking habits and possible further restrictions;
- P. whereas data from Eurobarometer 539 indicate that these figures fall to 42 % and 49 % respectively in outdoor places intended for use by children and adolescents;
- Q. whereas the Commission should 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 addiction prevention and reinforcing control of tobacco, nicotine and related products; whereas the Commission should also develop a prevention toolkit to support the protection of children and young people's health;

General

1. Reiterates its strong and continued support for the goal of creating a 'tobacco-free generation', as set out in Europe's Beating Cancer Plan; underlines the need to step up efforts to ensure that the aim of a tobacco-free generation by 2040 is actually achieved;
2. Underlines the need for policies to stick to the principle of harm reduction and recalls that new and emerging products may allow smokers to progressively quit smoking, as recognised in its previous resolutions on smoke-free environments and on non-

communicable diseases; highlights that harm-reduction policies should be based on scientific evidence and proportionality, as this improves their acceptance by citizens;

3. Welcomes the action taken by those Member States that have already adopted harm-reduction policies effectively and are on track to achieve the 2040 EU smoking reduction target 15 years early; welcomes the implementation by these Member States, furthermore, of effective measures to ensure protection from exposure to second-hand tobacco smoke;
4. Stresses that all people should be protected from undesired smoke and aerosols, including when they are outdoors;
5. Considers that children and pregnant women should be particularly well protected in places intended for their use; supports awareness campaigns addressing parents about the impact of second-hand smoke on children;
6. Considers that all responsible adults should be allowed to use products legally placed on the market; notes that such products must respect high consumer expectations, comply with the law and not undermine public order or morality; considers also that any citizen in a civilised and respectful society should be able to directly request a change when faced with behaviour that affects them negatively, without needing lawmakers to intervene;
7. Expresses concern about the significantly broader scope and the possible lack of proportionality and effectiveness of any general ban on smoking or tobacco products in outdoor areas, such as that proposed by the Commission in point 9 of its proposal for a Council recommendation, as well as about how feasible it might be to implement such a ban;
8. Regrets that it remains unclear whether an evaluation of the 2009 Council Recommendation on a smoke-free environment was ever performed in line with the 'evaluate first' principle of the Better Regulation guidelines; considers it regrettable, furthermore, that the impact assessment conducted more than 15 years ago has not been properly updated despite the drastic changes to the market with the emergence of new products and new consumption behaviours;
9. Regrets the fact that the Commission's proposal does not clearly differentiate between the application of restrictions for traditional tobacco products and new and emerging products such as e-cigarettes and does not apply a scientific evidence-based approach; regrets that the lack of differentiation with regard to smoke-free environments gives the wrong signal, undermines the use of new and emerging products for those switching entirely away from cigarettes and perpetuates misconceptions about their relative risks, as the Commission was unable to support its proposal with conclusive scientific evidence regarding the impact of second-hand aerosols;
10. Deeply regrets that the Commission has not assessed the impact of its proposal on certain economic sectors, in particular the tourism sector with its hotels, restaurants and cafés, which have raised logical concerns about the proposed recommendation;
11. Recognises that smoking-related harm-reduction policies could be implemented in a

way that is complementary to preventive measures, so long as these strategies are scientifically sound and do not undermine public health objectives, especially for young people and non-smokers; calls on the Council and the Member States, therefore, to introduce a harm-reduction approach to smoke-free environments based on independent scientific evidence, as part of their efforts to reduce the number of smokers and encourage current and future generations of adult smokers to either quit or choose reduced-risk alternatives;

12. Calls on the Member States to properly evaluate public bans on smoking and the use of e-cigarettes, heated tobacco products and other aerosol emitting products before adopting and implementing them, to apply a scientific evidence-based approach and to take into account the fact that e-cigarettes and new and emerging products may allow some smokers to progressively quit smoking, as Parliament recognised in its previous resolutions on smoke-free environments and on non-communicable diseases;
13. Deeply regrets that the Commission has not reacted to its request to bring forward risk assessments of new and emerging tobacco products regarding their health risks in comparison to consuming conventional tobacco products, especially of e-cigarettes and heated tobacco products; reiterates its call for such urgent assessments and further studies on the flavouring chemicals used in and released by e-cigarettes;
14. Calls on the Council and the Member States to further develop the harm-reduction approach to a smoke-free environment, built on independent scientific evidence as part of Europe's Beating Cancer Plan;
15. Welcomes the action taken by those Member States that have already adopted effective measures to ensure a smoke-free generation 15 years ahead of the 2040 EU target; calls on the Member States to continue introducing measures to encourage smokers to give up by adopting harm-reduction policies based on scientific evidence, as well as evaluating the potential impact of these measures on the value chains of the HORECA sector and SMEs;
16. Invites Member States to consider providing financial support or incentives for HORECA stakeholders that choose to designate smoke-free areas where possible;
17. Reiterates its call on the Commission to fund programmes that promote smoking reduction and cessation, and to back cooperation between Member States in exchanging information on the best and most effective ways to reduce smoking;

Reporting

18. Invites the Commission to report to Parliament and the Council four years after the adoption of this resolution on the progress in implementing the measures outlined herein and on the implementation of the Council recommendation by the Member States; invites the Commission also to evaluate the potential impact of these measures on the value chains of the HORECA sector and SMEs, and to take into account possible evolutions of the market and the availability of tobacco-substitute products;
19. Instructs its President to forward this resolution to the Member States, the Council, the Commission and the World Health Organization.

