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DG III/A/1 - RPS 4/38

TLX NR 23877 BEMCR
MR. CROON, INSTITUT BELGE DE NORMALISATION, BRUXELLES

TLX NR 642543
MR. LETELRTOIS, MIN. DE LA RECHERCHE ET DE L'INDUSTRIE,
PARIS

TLX NR 225238
MR. FRYSEPLAKIS, MIN. OF INDUSTRY, ENERGY AND TECHNOLOGY,
ATHENS

TLX NR 93478 TALC ET
MS ANNE TROY, INTERT. TRADE DIVISION,
DEPT. OF INDUSTRY, COMMERCE AND TOURISM, DUBLIN

TLX NR 618154
MR. B CRAPANZA, MIN. OF INDUSTRY, ROME

TLX NR 1782
MR. WELFRING, MIN. OF FOREIGN AFFAIRS, LUXEMBOURG

TLX NR 31292
GRATT SECTION, MIN. OF FOREIGN AFFAIRS, COPENHAGEN

TLX NR 42118 MISC
MR. BRACELD ROCA, MIN. OF INDUSTRY, COMMERCE AND TOURISM,
MADRID

TLX NR 13842 QUALIT P
MR. CARNEIRO DOS SANTOS, DIRECTORATE GENERAL QUALITY,
MINISTRY OF INDUSTRY, LISBON

TLX NR 8813148 DIND G
MR. S. CHILDERSTONE, DEPT. OF TRADE AND INDUSTRY, LONDON

TLX NR 53888 CCIUT NL
MR. B. SIEBRING, MIN., OF ECONOMIC AFFAIRS, GROSSEN

TLX NR 885747
HERRN DR SCHIRMER, BUNDES MIN FÜR WIRTSCHAFT, BONN

SUBJECT: CANADA NOTIFICATION TBT 93.115 CONCERNING
TOBACCO PRODUCTS

PLEASE SEE BELOW THE COMMENTS WHICH THE COMMISSION SENT
TO THE CANADIAN AUTHORITIES ON 5 MAY 1993 CONCERNING THE
ABOVE-MENTIONED PROPOSAL.

FULLY RECOGNIZING THE AIM OF THE ABOVE-MENTIONED
NOTIFICATION IN TERMS OF PROTECTION OF PUBLIC HEALTH, THE

EUROPEAN COMMUNITY WOULD NEVERTHELESS LIKE TO MAKE THE
FOLLOWING COMMENTS:

1. THE EC WOULD LIKE TO EXPRESS ITS SERIOUS CONCERN ON
THE VERY SHORT NOTICE FOR COMPLIANCE WITH THE PROVISIONS
OF THE CANADIAN PROPOSED REGULATION. THE EC INDEED

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BELIEVES THAT IT WILL BE VIRTUALLY IMPOSSIBLE FOR MOST EUROPEAN MANUFACTURERS TO MEET THE 1 SEPTEMBER 1993 EFFECTIVE DEADLINE WITHOUT SIGNIFICANT DISRUPTION IN SUPPLY TO THE CANADIAN MARKET. IN THIS RESPECT, THE EC REQUESTS AN ADDITIONAL PERIOD OF 12 MONTHS BEFORE THE ENTRY INTO FORCE IN ORDER TO ENABLE EUROPEAN MANUFACTURERS TO USE UP EXISTING STOCKS OF PRINTED PACKAGING, AND TO ADAPT PROCESSES TO INCORPORATE THIS REQUIREMENT.

2. THE EC CONSIDERS THAT THE PROPOSED INCREASE FROM 28 TO 288/8 OF THE SIZE OF THE HEALTH MESSAGE IS EXCESSIVE. THE EC IS OF THE OPINION THAT THIS PROPOSED REQUIREMENT IS MORE TRADE RESTRICTIVE THAN NECESSARY TO FULFIL AN AIM OF PROTECTION OF PUBLIC HEALTH, ESPECIALLY WHEN COMPARED TO THE EC LEGISLATION WHICH HAS ACHIEVED THIS OBJECTIVE WITH MESSAGES VARYING FROM 4 TO 88/8. THE EC CONSIDERS THAT THE 288/8 SIZE OF THE HEALTH MESSAGE SHOULD REMAIN UNCHANGED.

3. IN CONSEQUENCE, IN ORDER TO AVOID THE CREATION OF UNNECESSARY OBSTACLES TO THE INTERNATIONAL TRADE OF TOBACCO PRODUCTS, THE EC HOPES THAT THE CANADIAN AUTHORITIES WILL BE ABLE TO TAKE THE ABOVE COMMENTS INTO ACCOUNT.

REGARDS,

F. THOMAS
HEAD OF EC GATT ENCLERY POINT
NNN

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