

# Public Consultation on the Evaluation of the Legislative Framework for Tobacco Control

Fields marked with \* are mandatory.

## Introduction

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Thank you for participating to this Public Consultation. The objective of this questionnaire is to collect stakeholders perceptions on the current legislative framework for Tobacco Control in the EU, including the assessment of Tobacco Product Directive, Tobacco Advertising Directive, and the relevant WHO Framework Convention on Tobacco Control.

As mentioned on the Have your say webpage for this initiative, this Public Consultation is part of the broader Evaluation of the legislative framework for tobacco control. The evaluation covers product regulation, advertisement, promotion, and sponsorship, in the broader context of related tobacco control policies. The goal is to evaluate the extent to which the framework has fulfilled its established goals and objectives.

The approximate time needed to complete this questionnaire ranges from 30 to 45 minutes. We thank you in advance for your interest.

When carrying out the consultation activities, the following terms will be employed:

**Traditional tobacco products** include:

- Cigarettes
- Cigars
- Cigarillos
- Pipe tobacco
- Waterpipe tobacco
- Roll-your-own tobacco
- Chewing tobacco
- Nasal tobacco

For the purpose of this questionnaire, **Emerging products** include:

- Heated Tobacco Products (HTPs)
- E-cigarettes and refill containers (both nicotine containing and nicotine-free)
- Nicotine pouches (contain tobacco-derived or synthetic nicotine and other flavouring agents. They are placed in the mouth next to the gums, usually behind the lip)
- Heated herbal products (heated herbal sticks, i.e., tobacco-free, nicotine-free and tar-free herbal cigarettes coming with vape pens which resemble those used for heated tobacco products).

**Herbal products for smoking** refer to a product based on plants, herbs or fruits which contains no tobacco and can be consumed via a combustion process.

**Nicotine Replacement Therapies (NRTs)** refer to nicotine products other than electronic cigarettes which include, for example, nicotine chewing gums, nicotine sprays, nicotine inhalators, nicotine patches, nicotine sublingual tablets and nicotine lozenges.

## About you

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\* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

\* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

\* First name

Damian

\* Surname

Sweeney

\* Email (this won't be published)

\* Organisation name

*255 character(s) maximum*

European Tobacco Harm Reduction Advocates (ETHRA)

\* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

*255 character(s) maximum*

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

## \* Country of origin

Please add your country of origin, or that of your organisation.

*This list does not represent the official position of the European institutions with regard to the legal status or policy of the entities mentioned. It is a harmonisation of often divergent lists and practices.*

- |   |   |  |  |
|---|---|--|--|
| <input type="radio"/> Afghanistan         | <input type="radio"/> Djibouti                            | <input type="radio"/> Libya            | <input type="radio"/> Saint Martin                                 |
| <input type="radio"/> Åland Islands       | <input type="radio"/> Dominica                            | <input type="radio"/> Liechtenstein    | <input type="radio"/> Saint Pierre and Miquelon                    |
| <input type="radio"/> Albania             | <input type="radio"/> Dominican Republic                  | <input type="radio"/> Lithuania        | <input type="radio"/> Saint Vincent and the Grenadines             |
| <input type="radio"/> Algeria             | <input type="radio"/> Ecuador                             | <input type="radio"/> Luxembourg       | <input type="radio"/> Samoa  |
| <input type="radio"/> American Samoa      | <input type="radio"/> Egypt                               | <input type="radio"/> Macau            | <input type="radio"/> San Marino                                   |
| <input type="radio"/> Andorra             | <input type="radio"/> El Salvador                         | <input type="radio"/> Madagascar       | <input type="radio"/> São Tomé and Príncipe                        |
| <input type="radio"/> Angola              | <input type="radio"/> Equatorial Guinea                   | <input type="radio"/> Malawi           | <input type="radio"/> Saudi Arabia                                 |
| <input type="radio"/> Anguilla            | <input type="radio"/> Eritrea                             | <input type="radio"/> Malaysia         | <input type="radio"/> Senegal                                      |
| <input type="radio"/> Antarctica          | <input type="radio"/> Estonia                             | <input type="radio"/> Maldives         | <input type="radio"/> Serbia                                       |
| <input type="radio"/> Antigua and Barbuda | <input type="radio"/> Eswatini                            | <input type="radio"/> Mali             | <input type="radio"/> Seychelles                                   |
| <input type="radio"/> Argentina           | <input type="radio"/> Ethiopia                            | <input type="radio"/> Malta            | <input type="radio"/> Sierra Leone                                 |
| <input type="radio"/> Armenia             | <input type="radio"/> Falkland Islands                    | <input type="radio"/> Marshall Islands | <input type="radio"/> Singapore                                    |
| <input type="radio"/> Aruba               | <input type="radio"/> Faroe Islands                       | <input type="radio"/> Martinique       | <input type="radio"/> Sint Maarten                                 |
| <input type="radio"/> Australia           | <input type="radio"/> Fiji                                | <input type="radio"/> Mauritania       | <input type="radio"/> Slovakia                                     |
| <input type="radio"/> Austria             | <input type="radio"/> Finland                             | <input type="radio"/> Mauritius        | <input type="radio"/> Slovenia                                     |
| <input type="radio"/> Azerbaijan          | <input type="radio"/> France                              | <input type="radio"/> Mayotte          | <input type="radio"/> Solomon Islands                              |
| <input type="radio"/> Bahamas             | <input type="radio"/> French Guiana                       | <input type="radio"/> Mexico           | <input type="radio"/> Somalia                                      |
| <input type="radio"/> Bahrain             | <input type="radio"/> French Polynesia                    | <input type="radio"/> Micronesia       | <input type="radio"/> South Africa                                 |
| <input type="radio"/> Bangladesh          | <input type="radio"/> French Southern and Antarctic Lands | <input type="radio"/> Moldova          | <input type="radio"/> South Georgia and the South Sandwich Islands |
| <input type="radio"/> Barbados            | <input type="radio"/> Gabon                               | <input type="radio"/> Monaco           | <input type="radio"/> South Korea                                  |
| <input type="radio"/> Belarus             | <input type="radio"/> Georgia                             | <input type="radio"/> Mongolia         | <input type="radio"/> South Sudan                                  |

- Belgium
- Belize
- Benin
- Bermuda
- Bhutan
- Bolivia
- Bonaire Saint Eustatius and Saba
- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Germany
- Ghana
- Gibraltar
- Greece
- Greenland
- Grenada
- Guadeloupe
- Guam
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Montenegro
- Montserrat
- Morocco
- Mozambique
- Myanmar/Burma
- Namibia
- Nauru
- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Niue
- Norfolk Island
- Northern Mariana Islands
- North Korea
- North Macedonia
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Sweden
- Switzerland
- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand
- The Gambia
- Timor-Leste
- Togo
- Tokelau
- Tonga
- Trinidad and Tobago
- Tunisia
- Turkey
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda

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| <input type="radio"/> Chile                            | <input type="radio"/> Isle of Man | <input type="radio"/> Panama  | <input type="radio"/> Ukraine                              |
| <input type="radio"/> China                            | <input type="radio"/> Israel      | <input type="radio"/> Papua New Guinea                                  | <input type="radio"/> United Arab Emirates                 |
| <input type="radio"/> Christmas Island                 | <input type="radio"/> Italy       | <input type="radio"/> Paraguay  | <input type="radio"/> United Kingdom                       |
| <input type="radio"/> Clipperton                       | <input type="radio"/> Jamaica     | <input type="radio"/> Peru  | <input type="radio"/> United States                        |
| <input type="radio"/> Cocos (Keeling) Islands          | <input type="radio"/> Japan       | <input type="radio"/> Philippines                                       | <input type="radio"/> United States Minor Outlying Islands |
| <input type="radio"/> Colombia                         | <input type="radio"/> Jersey      | <input type="radio"/> Pitcairn Islands                                  | <input type="radio"/> Uruguay                              |
| <input type="radio"/> Comoros                          | <input type="radio"/> Jordan      | <input type="radio"/> Poland  | <input type="radio"/> US Virgin Islands                    |
| <input type="radio"/> Congo                            | <input type="radio"/> Kazakhstan  | <input type="radio"/> Portugal  | <input type="radio"/> Uzbekistan                           |
| <input type="radio"/> Cook Islands                     | <input type="radio"/> Kenya       | <input type="radio"/> Puerto Rico                                       | <input type="radio"/> Vanuatu                              |
| <input type="radio"/> Costa Rica                       | <input type="radio"/> Kiribati    | <input type="radio"/> Qatar   | <input type="radio"/> Vatican City                         |
| <input type="radio"/> Côte d'Ivoire                    | <input type="radio"/> Kosovo      | <input type="radio"/> Réunion   | <input type="radio"/> Venezuela                            |
| <input type="radio"/> Croatia                          | <input type="radio"/> Kuwait      | <input type="radio"/> Romania   | <input type="radio"/> Vietnam                              |
| <input type="radio"/> Cuba                             | <input type="radio"/> Kyrgyzstan  | <input type="radio"/> Russia  | <input type="radio"/> Wallis and Futuna                    |
| <input type="radio"/> Curaçao                          | <input type="radio"/> Laos        | <input type="radio"/> Rwanda  | <input type="radio"/> Western Sahara                       |
| <input type="radio"/> Cyprus                           | <input type="radio"/> Latvia      | <input type="radio"/> Saint Barthélemy                                  | <input type="radio"/> Yemen                                |
| <input type="radio"/> Czechia                          | <input type="radio"/> Lebanon     | <input type="radio"/> Saint Helena<br>Ascension and<br>Tristan da Cunha | <input type="radio"/> Zambia                               |
| <input type="radio"/> Democratic Republic of the Congo | <input type="radio"/> Lesotho     | <input type="radio"/> Saint Kitts and Nevis                             | <input type="radio"/> Zimbabwe                             |
| <input type="radio"/> Denmark                          | <input type="radio"/> Liberia     | <input type="radio"/> Saint Lucia                                       |  |

**\* Have the answers you are providing been officially approved on behalf of your organisation?**

- Yes, they have been approved on behalf of the organisation I represent
- No, they are my individual opinions according with my personal knowledge

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **For the purpose of transparency, the type of respondent (for example, 'business association', 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.**

Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

### \* **Contribution publication privacy settings**

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

**Anonymous**

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

**Public**

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

I agree with the [personal data protection provisions](#)

## Awareness

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### \* **How familiar are you with the Tobacco Control Legislative Framework across the EU?**

- I am an expert (e.g., TPD, TAD, and relevant WHO FCTC Articles)
- I am familiar (e.g., TPD, TAD, and relevant FCTC Articles)
- I am somewhat familiar with certain elements (e.g., TPD, TAD, or relevant FCTC Articles)
- I have no knowledge

### \* **What is your perception of Tobacco Control policies in the EU?**

- There has been significant improvement in health protection
- There has been some improvement towards ensuring health protection
- There has not been any improvement in health protection
- Don't know/Can't answer

**\* How familiar are you with the division of roles and competences between the EU and Member States in the field of Tobacco Control?**

- I am aware of the allocation of competences between the EU and Member States, and I have sound understanding of the transposition requirements
- I am somewhat aware of the allocation of competences between the EU and Members, and/or I have a basic understanding of the transposition requirements
- I struggle to identify the differences between EU and Member States competences

**\* Do you have educational experience in any of the fields related to this study (public health, general medical field, tobacco control, etc.)?**

- Yes
- No

**\* Are you a healthcare professional?**

- Yes
- No



**Please, express your opinion on the following statements:**

|  | Strongly disagree                | Disagree                         | Neither agree nor disagree       | Agree                 | Strongly Agree                   | Don't know /Can't answer |
|--|----------------------------------|----------------------------------|----------------------------------|-----------------------|----------------------------------|--------------------------|
| * Public health objectives should take priority over economic interests whenever possible                                | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>    |
| * There is no such thing as “overregulation” in tobacco control  | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>    |
| * EU-level rules on Tobacco Control are essential to ensure that public health objectives are met                        | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>    |
| * Emerging products represent a major public health risk due to their addictive nature and their impacts on human health | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>    |
| * Emerging products can help smokers quit  | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Differences amongst Member States’ implementation of tobacco control rules may lead to public health inequities        | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>    |
| * The gaps in the present Tobacco Control Legislative Framework resulted in ineffective and inefficient regulations      | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>    |

# Assessment of the Tobacco Control Framework

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## Part I. Tobacco Products Directive (TPD)

**To what extent do you believe the following TPD provisions were adequate to facilitate the smooth functioning of the internal market?**

|  | Very inadequate       | Inadequate            | Neither adequate or inadequate   | Adequate                         | Very adequate         | Don't Know/ Can't answer |
|--|-----------------------|-----------------------|----------------------------------|----------------------------------|-----------------------|--------------------------|
| * Establishing limits on the emissions of tar, nicotine and carbon monoxide from cigarettes  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>    |
| * Banning characterising flavours in cigarettes and roll-your-own tobacco  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>    |
| * Setting mandatory combined health warnings and establishing labelling obligations  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>    |
| * Harmonising and standardising packaging rules  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>    |
| * Banning product presentations that might encourage consumption, downplay health risks, and suggest reduced environmental impacts | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>    |
| * Prohibiting placing on the market of tobacco for oral use (except for Sweden)  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>    |
| * Establishing an obligation to submit a notification of novel tobacco products  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>    |
| * Setting the amount of the minimum units per package  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>    |
| * Addressing tobacco illicit trade by enforcing an EU-wide traceability and security system  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>    |
| * Allowing Member States to prohibit cross-border distance sales of tobacco products to consumers                                  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>    |
| * Setting mandatory requirements for retail outlets engaged in cross-border distance sales to operate an age verification system   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>    |

|   |                       |                       |                                  |                                  |                       |                       |
|---|-----------------------|-----------------------|----------------------------------|----------------------------------|-----------------------|-----------------------|
| * Establishing an exemption from the ban on characterising flavours (applicable to cigarettes and roll-your-own tobacco) as long as there is no substantial change of circumstances in terms of sales volumes or consumption patterns of young people | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| * Setting maximum nicotine concentration for nicotine containing-liquids  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Regulating maximum volumes of refill containers and single-use cartridges /tanks  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Establishing reporting obligations for tobacco and related products   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Not banning the use of individual additives that are related to characterising flavours   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Not harmonising additional aspects of electronic cigarettes or refill containers (e.g., adopting rules on flavours)   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Establishing a priority list of additives   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Prohibiting vitamins or other additives that create the impression that a tobacco product/e-cigarette has a health benefit or presents reduced health risks   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Prohibiting caffeine, taurine, or other additives and stimulant compounds that are associated with energy and vitality  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Prohibiting additives having colouring properties for emissions   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Prohibiting additives that facilitate inhalation or nicotine uptake   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Prohibiting additives that have CMR properties in unburnt form  | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |
| * Establishing safety features for electronic cigarettes and refill containers such as high purity requirements, consistent dose delivery and, child- and tamper-proof requirements   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> |

**Considering the following TPD provisions, were they adequate to ensure a high level of protection of human health in the EU?**

|  | Very inadequate                  | Inadequate            | Neither adequate or inadequate   | Adequate                         | Very adequate         | Don't Know/ Can't answer         |
|--|----------------------------------|-----------------------|----------------------------------|----------------------------------|-----------------------|----------------------------------|
| * Establishing limits on the emissions of tar, nicotine, and carbon monoxide from cigarettes                                       | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| * Banning characterising flavours in cigarettes and roll-your-own tobacco  | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| * Setting mandatory combined health warnings and establishing labelling obligations  | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Harmonising and standardising packaging rules  | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Banning product presentations that might encourage consumption, downplay health risks, and suggest reduced environmental impacts | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Prohibiting placing on the market of tobacco for oral use (except for Sweden)  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Establishing an obligation to submit a notification of novel tobacco products  | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Setting the amount of the minimum units per package  | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Addressing tobacco illicit trade by enforcing an EU-wide traceability and security system  | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Allowing Member States to prohibit cross-border distance sales of tobacco products to consumers                                  | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Setting mandatory requirements for retail outlets engaged in cross-border distance sales to operate an age verification system   | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |

|   |                                  |                       |                                  |                                  |                       |                                  |
|---|----------------------------------|-----------------------|----------------------------------|----------------------------------|-----------------------|----------------------------------|
| * Establishing an exemption from the ban on characterising flavours (applicable to cigarettes and roll-your-own tobacco) as long as there is no substantial change of circumstances in terms of sales volumes or consumption patterns of young people | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Setting maximum nicotine concentration for nicotine containing-liquids  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Regulating maximum volumes of refill containers and single-use cartridges /tanks  | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Establishing reporting obligations for tobacco and related products   | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Not banning the use of individual additives that are related to characterising flavours   | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Not harmonising additional aspects of e-cigarettes or refill containers (e.g., adopting rules on flavours)  | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Establishing a priority list of additives   | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| * Prohibiting vitamins or other additives that create the impression that a tobacco product/e-cigarette has a health benefit or presents reduced health risks   | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Prohibiting caffeine, taurine, or other additives and stimulant compounds that are associated with energy and vitality  | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Prohibiting additives having colouring properties for emissions   | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Prohibiting additives that facilitate inhalation or nicotine uptake   | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |
| * Prohibiting additives that have CMR properties in unburnt form  | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> |
| * Establishing safety features for e-cigarettes and refill containers such as high purity requirements, consistent dose delivery, and child- and tamper-proof requirements  | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            |

**Were the following TPD provisions capable of addressing recent market developments (e.g., emerging products and innovative technical features)?**

|   | Not at all            | To a limited extent   | To some extent        | Completely                       | Don't Know/ Can't answer |
|---|-----------------------|-----------------------|-----------------------|----------------------------------|--------------------------|
| * Overall definitions of tobacco and related products                                 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Maximum emission levels of tar, nicotine and carbon monoxide                        | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Measurement methods   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Ingredients and emissions reporting obligations                                     | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * A priority list of additives and enhanced reporting obligations                     | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Regulation of ingredients   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Ban on characterising flavours (applicable to cigarettes and roll-your-own tobacco) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Labelling and packaging of tobacco products   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Traceability and security features  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Product presentation, appearance, and content of unit packets                       | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Cross-border distance sales   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Notification of tobacco and related products  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |

**Considering the TPD, please rate each of the below product categories according to the level of threat they pose to the public health, particularly among young people.**

|                           | Not a threat at all              | Somewhat a threat                | Threatening           | Very threatening      | Don't Know/ Can't answer |
|---------------------------|----------------------------------|----------------------------------|-----------------------|-----------------------|--------------------------|
| * E-cigarettes            | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>    |
| * Heated tobacco products | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>    |
| * Waterpipe tobacco       | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>    |
| * Nicotine pouches        | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>    |

|                                |                                  |                       |                       |                       |                                  |
|--------------------------------|----------------------------------|-----------------------|-----------------------|-----------------------|----------------------------------|
| * Heated herbal products       | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| * Nicotine-free e-cigarettes   | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Other(s), please specify below | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

**To what extent do you believe the use of the following products will continue increasing in the next 10 years?**

|                              | It will increase      | It will remain stable | It will decrease      | Don't know/Can't answer          |
|------------------------------|-----------------------|-----------------------|-----------------------|----------------------------------|
| * E-cigarettes               | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| * Heated tobacco products    | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| * Waterpipe tobacco          | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| * Nicotine pouches           | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| * Heated herbal products     | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| * Nicotine-free e-cigarettes | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| Other, please specify below  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

**\* Which of the following products do you think young people are most attracted to? (Multiple options)**

*at most 3 choice(s)*

- Traditional tobacco products
- Heated Tobacco Products
- E-cigarettes
- Nicotine pouches
- Herbal products for smoking
- Heated herbal products
- Other, please specify below
- Don't know/Can't answer

**\* As far as TPD Article 7(12) is concerned, do you believe that allowing an exemption of novel tobacco products from the ban on characterising flavours made these products more appealing to young people?**



- Not at all
- To a very limited extent
- Yes, to some extent
- Yes, absolutely
- Don't know/Can't answer

**\* Do you believe consumers may view those tobacco products exempted according to TPD Article 11(1) from carrying the information message and the tobacco combined health warnings as more attractive and/or less harmful?**

- Not at all
- To a very limited extent
- Yes, to some extent
- Yes, absolutely
- Don't know/Can't answer

**\* Do you believe the provisions of the TPD take into consideration the phenomenon of 'dual users' or 'multiple users'?**

- Not at all
- To a very limited extent
- Yes, to some extent
- Yes, absolutely
- Don't know/Can't answer

**\* Do you think that Member States have put enough effort to achieve a timely and effective application of the relevant TPD provisions?**

- Not at all
- To a very limited extent
- Yes, to some extent
- Yes, absolutely
- Don't know/Can't answer

**\* Was there any type of support available in your Member State or other Member States to successfully apply the relevant TPD and national requirements?**

*at most 2 choice(s)*

- It was available in my Member State
- It was available in other Member States
- It was not available in my Member State
- It was not available in other Member States
- Don't know/ Can't answer

**\* Did you receive specific support to successfully apply the relevant TPD provisions from your Member State?**

- Not at all
- To a limited extent
- Yes, to some extent
- Yes, absolutely
- Don't know/Can't answer

**To what extent do you believe the following issues related to cross-border distance sales might hinder the effectiveness of the related TPD provision?**

|  | Not at all            | To a very limited extent | They might be to some extent challenging | They are extremely challenging | Don't know /Can't answer |
|--|-----------------------|--------------------------|--|--------------------------------|--------------------------|
| * Emergence of unregistered retailers  | <input type="radio"/> | <input type="radio"/>    | <input checked="" type="radio"/>         | <input type="radio"/>          | <input type="radio"/>    |
| * Retailers selling non-compliant or banned products in the country where the delivery takes place | <input type="radio"/> | <input type="radio"/>    | <input checked="" type="radio"/>         | <input type="radio"/>          | <input type="radio"/>    |
| * Unregistered retailers' websites   | <input type="radio"/> | <input type="radio"/>    | <input checked="" type="radio"/>         | <input type="radio"/>          | <input type="radio"/>    |
| * Age verification systems   | <input type="radio"/> | <input type="radio"/>    | <input checked="" type="radio"/>         | <input type="radio"/>          | <input type="radio"/>    |

**Are the relevant provisions of the TPD flexible enough to address the following concerns?**

|  | Not at all            | To a very limited extent         | Yes, to some extent   | Yes, absolutely                  | Don't know /Can't answer |
|--|-----------------------|----------------------------------|-----------------------|----------------------------------|--------------------------|
| * Increasing use of emerging products amongst the younger generation | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Unclear communication about emerging products' health risks        | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>    |

|   |                       |                                  |                       |                                  |                       |
|---|-----------------------|----------------------------------|-----------------------|----------------------------------|-----------------------|
| * Easy access to emerging products through online shopping                    | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> |
| * Safety concerns about e-cigarettes (i.e., device overheating and explosion) | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> |
| * The use of traditional tobacco products remains far too widespread          | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| * Illicit trade of tobacco and tobacco-related products                       | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |

**Have Member States implemented national tobacco control policies which go beyond the minimum requirements provided for in the TPD in the following areas?**

|   | Not at all                       | To a very limited extent | Yes, to some extent              | Yes, national policies go beyond minimum requirements | Don't know /Can't answer         |
|---|----------------------------------|--------------------------|----------------------------------|---|----------------------------------|
| * Ingredients and emissions reporting obligations | <input type="radio"/>            | <input type="radio"/>    | <input type="radio"/>            | <input type="radio"/>                                 | <input checked="" type="radio"/> |
| * Maximum emission levels                         | <input type="radio"/>            | <input type="radio"/>    | <input type="radio"/>            | <input type="radio"/>                                 | <input checked="" type="radio"/> |
| * Labelling and packaging of tobacco products     | <input type="radio"/>            | <input type="radio"/>    | <input checked="" type="radio"/> | <input type="radio"/>                                 | <input type="radio"/>            |
| * Traceability and security features              | <input type="radio"/>            | <input type="radio"/>    | <input type="radio"/>            | <input type="radio"/>                                 | <input checked="" type="radio"/> |
| * Oral tobacco ban                                | <input checked="" type="radio"/> | <input type="radio"/>    | <input type="radio"/>            | <input type="radio"/>                                 | <input type="radio"/>            |
| * Cross-border distance sales of tobacco products | <input type="radio"/>            | <input type="radio"/>    | <input checked="" type="radio"/> | <input type="radio"/>                                 | <input type="radio"/>            |
| * Notification of novel tobacco products          | <input type="radio"/>            | <input type="radio"/>    | <input checked="" type="radio"/> | <input type="radio"/>                                 | <input type="radio"/>            |
| * Regulation of e-cigarettes                      | <input type="radio"/>            | <input type="radio"/>    | <input checked="" type="radio"/> | <input type="radio"/>                                 | <input type="radio"/>            |
| * Regulation of herbal products for smoking       | <input type="radio"/>            | <input type="radio"/>    | <input type="radio"/>            | <input type="radio"/>                                 | <input checked="" type="radio"/> |
| Other, please specify below                       | <input type="radio"/>            | <input type="radio"/>    | <input type="radio"/>            | <input type="radio"/>                                 | <input checked="" type="radio"/> |

**\* To what extent has the TPD empowered Member States to deal with new market developments (e.g., emerging products and innovative technical**

**features)?**

Please choose the most correct.

- Member States are and will be able to address all new market developments with no challenges
- Member States can currently address most new market developments but some challenges are experienced/foreseen
- Member States can address some new market developments through national legislation, but face challenges, which are likely to get worse
- Member States are not able to address most new market developments and do not feel empowered to do so
- Don't know/Can't answer

**Is the TPD coherent with other applicable EU legislation relevant for tobacco control?**

|  | Completely incoherent | Somewhat incoherent   | Somewhat coherent                | Completely coherent              | Don't know/ Can't answer         |
|--|-----------------------|-----------------------|----------------------------------|----------------------------------|----------------------------------|
| * The Tobacco Advertisement Directive (TAD)  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            |
| * The Council Recommendation on Smoke-Free environments                                      | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>            |
| * The Single-Use plastics directive  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> |
| * The audio-visual media services Directive  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> |
| * The Tobacco Taxation Directive   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            |
| * Market surveillance regulation   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> |
| * The Regulation for Classification, Labelling and Packaging (CLP)                           | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input checked="" type="radio"/> |
| * General Product Safety Directive   | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            |
| * Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>            |
| Other, please specify  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/>            |

**\* Do you perceive that any of the relevant TPD provisions overlap with each other?**

- Not at all
- To a very limited extent
- Yes, to some extent
- Yes, absolutely
- Don't know/Can't answer

Part II. Tobacco Advertisement Directive (TAD) + TPD art. 20(5)

**Were the following provisions of the TAD and of TPD Article 20(5) effective to ensure a high level of human health protection in the EU?**

|  | Not at all            | To a very limited extent | Yes, they were to some extent | Yes, they were effective         | Don't know /Can't answer |
|--|-----------------------|--------------------------|-------------------------------|----------------------------------|--------------------------|
| * Definition of tobacco products   | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Definition of e-cigarettes and refill containers   | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Definition of advertising  | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Definition of sponsorship  | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Definition of information society services   | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Ban on the advertising of tobacco products in the press and on all other non-professional printed publications | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Ban on advertisement of tobacco products in information society services                                       | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Ban on all radio advertisement of tobacco products   | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Ban on the sponsorship of radio programmes by tobacco sellers or manufacturers                                 | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Ban on the sponsorship of tobacco products in events taking place in several member states                     | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Ban on the sponsorship of tobacco products in events having cross-border effects                               | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |
| * Ban on the free distribution of tobacco products at events   | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/>         | <input checked="" type="radio"/> | <input type="radio"/>    |

|   |                       |                       |                       |                                  |                       |
|---|-----------------------|-----------------------|-----------------------|----------------------------------|-----------------------|
| * Ban on the advertisement of e-cigarettes and refill containers in the press and on all other non-professional printed publications                                | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| * Ban on the advertisement of e-cigarettes and refill containers in information society services  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| * Ban on the direct or indirect radio advertisement of e-cigarettes and refill containers   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| * Ban on private or public contributions to radio programmes with direct or indirect promotion of e-cigarettes and refill containers                                | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| * Complete ban on direct or indirect promotion of e-cigarettes and refill containers in events taking place in several Member States or having cross-border effects | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |

**Do you think the TAD and TPD article 20(5) are still relevant to deal with the following developments?**

|  | Not relevant all      | Somehow relevant      | Relevant                         | Very relevant         | Don't know /Can't answer |
|--|-----------------------|-----------------------|----------------------------------|-----------------------|--------------------------|
| * Advertising, promotion, and sponsorship of emerging products | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>    |
| * Advertising, promotion, and sponsorship on social media      | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>    |

**Considering the TAD and TPD art. 20(5), please rate each of the below product categories according to the level of threat they posed to the relevance of advertisement legislation, particularly their effect on young people.**

|                              | Not a threat at all              | Somewhat a threat     | Threatening           | Very threatening      | Don't Know/ Can't answer         |
|------------------------------|----------------------------------|-----------------------|-----------------------|-----------------------|----------------------------------|
| * E-cigarettes               | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Heated tobacco products    | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Nicotine pouches           | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Heated herbal products     | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| * Nicotine-free e-cigarettes | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |

|                             |                       |                       |                       |                       |                                  |
|-----------------------------|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------|
| Other, please specify below | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Waterpipe tobacco         | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

**Is the TAD coherent with other applicable EU legislation relevant for tobacco control?**

|  | Completely incoherent | Somewhat incoherent   | Somewhat coherent     | Completely coherent              | Don't know/ Can't answer         |
|--|-----------------------|-----------------------|-----------------------|----------------------------------|----------------------------------|
| * The Tobacco Products Directive (TPD)   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| * The Council Recommendation on Smoke-Free environments                                      | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| * The Single-Use plastics directive  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| * The audio-visual media services Directive  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| * The Tobacco Taxation Directive   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| * Market surveillance regulation   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| * The Regulation for Classification, Labelling and Packaging (CLP)                           | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| * General Product Safety Directive   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| * Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| Other, please specify below  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            |

**\* To what extent have the TAD and TPD art. 20(5) empowered Member States to deal with new market developments?**

Please choose the most correct.

- Member States are and will be able address all new market developments with no challenges
- Member States can currently address most new market developments, but some challenges are experienced/foreseen

- Member States can address some new market developments through national legislation, but face challenges, which are likely to get worse
- Member States are not able to address most new market developments and do not feel empowered to do so
- Don't know/Can't answer

**\* Do any of the relevant TAD provisions or TPD Article 20(5) overlap with each other?**

- Not at all
- To a very limited extent
- Yes, to some extent
- Yes, absolutely
- Don't know/Can't answer

Part III. Other relevant policies and overall coherence

**To what extent have Member States implemented national tobacco control policies which support the following objectives of the WHO FCTC (beyond TPD and TAD requirements)?**

|   | Not at all            | To a very limited extent | To some extent        | National policies perfectly fit the FCTC's objectives | Don't know /Can't answer |
|---|-----------------------|--------------------------|-----------------------|---|--------------------------|
| * Regulating sales arrangements including tobacco vending machines, points of sale, and cross-border distance sale of tobacco   | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/> | <input checked="" type="radio"/>                      | <input type="radio"/>    |
| * Promoting and strengthening public awareness of tobacco control issues by adopting and implementing appropriate measures  | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/> | <input checked="" type="radio"/>                      | <input type="radio"/>    |
| * Developing and disseminating guidelines based on scientific evidence and best practices and taking measures to promote cessation of tobacco use and adequate treatment for tobacco dependence | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/> | <input checked="" type="radio"/>                      | <input type="radio"/>    |
| * Protecting the environment and the health of the persons in relation to the environment with respect to tobacco cultivation and manufacture   | <input type="radio"/> | <input type="radio"/>    | <input type="radio"/> | <input checked="" type="radio"/>                      | <input type="radio"/>    |



|   |                       |                       |                       |                                  |                                  |
|---|-----------------------|-----------------------|-----------------------|----------------------------------|----------------------------------|
| * Developing and promoting national research and coordinating research programmes in the field of tobacco control | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            |
| Other, please specify below   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |

**\* How severe do you perceive the fragmentation of national and EU regulations on tobacco control?**

- Not at all
- To a very limited extent
- To some extent
- They are severely fragmented
- Don't know/Can't answer

**Which sales channel do you consider to be problematic for age verification regulations?**

|                               | Traditional tobacco products | E-cigarettes             | Heated Tobacco Products  | Nicotine pouches         | Herbal products for smoking | Heated herbal products   | Don't know/Can't answer             |
|-------------------------------|------------------------------|--------------------------|--------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------------|
| * In-person purchases         | <input type="checkbox"/>     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * Vending machines            | <input type="checkbox"/>     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * Cross-border distance sales | <input type="checkbox"/>     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * Domestic distance sales     | <input type="checkbox"/>     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**\* Do you consider that young people have easy access to tobacco and related products?**

Yes  No  Don't know/Can't answer

**Do you consider the sale of the following product categories should have been banned at the following locations?**

|                                | Near schools             | Concerts /festivals      | Bars and restaurants     | Supermarkets             | Vending machines         | Don't know/Can't answer             |
|--------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| * Traditional tobacco Products | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * Heated Tobacco Products      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * E-cigarettes                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * Nicotine pouches             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * Herbal products for smoking  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * Heated herbal products       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Do you think visibility at points of sale for the following products should have been restricted, if not already?**

|                                | No, the established restrictions were enough | Yes, stricter rules were necessary | Don't know/Can't answer          |
|--------------------------------|--|------------------------------------|----------------------------------|
| * Traditional tobacco products | <input type="radio"/>                        | <input type="radio"/>              | <input checked="" type="radio"/> |
| * Heated Tobacco Products      | <input checked="" type="radio"/>             | <input type="radio"/>              | <input type="radio"/>            |
| * E-cigarettes                 | <input checked="" type="radio"/>             | <input type="radio"/>              | <input type="radio"/>            |
| * Nicotine pouches             | <input checked="" type="radio"/>             | <input type="radio"/>              | <input type="radio"/>            |
| * Herbal products for smoking  | <input checked="" type="radio"/>             | <input type="radio"/>              | <input type="radio"/>            |
| * Heated herbal products       | <input checked="" type="radio"/>             | <input type="radio"/>              | <input type="radio"/>            |
| Other, please specify below    | <input type="radio"/>                        | <input type="radio"/>              | <input checked="" type="radio"/> |

**\* If other, please specify.**

*20 character(s) maximum*

N/A

**\* Do you consider adequate public awareness campaigns and actions about tobacco control, including the risks associated with tobacco and nicotine use?**

- Yes  No  Don't know/Can't answer

**\* How important are the role of NGOs in public awareness campaigns?**

- Not important (Member States can conduct them on their own)
- Somehow important
- Important
- Very important (Essential)
- Don't know/Can't answer

**\* Do NGOs receive public funding to carry out their awareness campaigns?**

- NGOs do not receive funding for conducting public awareness campaigns in any Member State
- They receive public funding for these in less than half of the Member States

- They receive public funding for these in half or more of the Member States
- They receive public funding to carry out awareness campaigns in all Member States
- Don't know/Can't answer

**What is the level of concern regarding each of the following environmental consequences from tobacco and related products?**

|  | Not concerned                    | Somehow concerned                | Concerned             | Very concerned        | Don't know/ Can't answer         |
|--|----------------------------------|----------------------------------|-----------------------|-----------------------|----------------------------------|
| * Environmental implications of tobacco cultivation (e.g., deforestation, water, soil depletion, etc.) | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| * Occupational hazards arising from the production of tobacco products                                 | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |
| * Air pollution  | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Single plastic waste resulting from the disposal of tobacco products                                 | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| * Environmental hazards arising from the disposal of electronic devices                                | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>            |
| Other, please specify below  | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

**Do you consider the current legislation to be able to adapt to market developments in the following sustainability terms?**

|  | Yes                              | No                    | Don't know/ Can't answer |
|--|----------------------------------|-----------------------|--------------------------|
| * In terms of economic sustainability      | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>    |
| * In terms of social sustainability        | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>    |
| * In terms of environmental sustainability | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>    |

**\* Do you believe that the fragmentation and choice of legal instruments (e.g., a Directive in the case of TPD and TAD) of the current EU tobacco control framework was the most appropriate legal mechanism to achieve the overarching goal of a high level of health protection?**

- Not at all
- To a very limited extent

- Yes, to some extent
- Yes, it is the best policy instrument
- Don't know/Can't answer

## Final Section

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### **(Optional) Is there a final comment you want to share?**

*500 character(s) maximum*

Please see our attached file for our response to the Evaluation of the legislative framework for tobacco control's Open Public Consultation. We have focused on how the European Commission and other bodies evaluate the evidence, drawing on what we see as the failures in the SCHEER report

The questionnaire was constructed with inherent bias against harm reduction & does not capture the effects of anti-vaping policies on youth & adult smoking or likely countermeasures by consumers and suppliers

### **(Optional) Feel free to upload a document in support of any of you replies.**

Only files of the type pdf,doc,docx,odt,txt,rtf are allowed

**d25f36f1-42e5-4630-adb6-b2513c92aa1f/Evaluation\_of\_the\_legislative\_framework\_for\_tobacco\_control\_-\_Open\_Public\_Consultation.pdf**