



UNION EUROPEENNE DE L'ARTISANAT ET DES PETITES ET MOYENNES ENTREPRISES  
EUROPÄISCHE UNION DES HANDWERKS UND DER KLEIN- UND MITTELBETRIEBE  
EUROPEAN ASSOCIATION OF CRAFT, SMALL AND MEDIUM-SIZED ENTERPRISES  
UNIONE EUROPEA DELL' ARTIGIANATO E DELLE PICCOLE E MEDIE IMPRESE

## **UEAPME Position Paper on the informal consultation document of the European Commission “Towards a Europe Free From Tobacco Smoke: Policy Options at EU level”**

### **Introduction**

The European association of crafts, small and medium sized enterprises appreciates the possibility to respond to the European Commission’s informal consultation on Tobacco Smoke launched on the 30 May 2006 and to give its input into the upcoming Commission’s Green Paper on Smoke-Free Environments.

### **General remarks**

#### **Policy area**

While agreeing that environmental tobacco smoke (ETS) is a general concern UEAPME stresses that this is typically a public health issue and not one of health and safety at the work place and therefore that the solution should not be based on the Health and Safety in the Workplace legislation.

#### **Concerning actions at European level on environmental tobacco smoke (ETS)**

The added value of activities at European level in such an area is not always evident. In any case the principle of subsidiarity should be respected. In the case that EU level activities are of added value, UEAPME believes that the tools used at European level should take the form of recommendations rather than directives and minimum requirements. The open method of coordination is a very useful way of cooperation at EU level, which allows the Member States to exchange good practices and learn from each other’s experiences in applying different policy options and to create a healthy competition with a peer review process, while deciding themselves which policy options they want to use.

Nevertheless, while supporting the approach of using the OMC, UEAPME is not in favour of fixing strict timetables, as different Member States differ in the level of awareness of the problem and the discussions at national level on this issue are advanced to varying degrees.

Therefore UEAPME believes that EU actions should mainly concentrate on awareness raising. This is in particular important in the case that a member state does decide to use the legislative path. In this situation the national government needs to give the population a sufficient time period to prepare and adapt to the new situation before coming into force, in order to raise awareness and understanding of the issue.

This is also of particular importance for economic actors. For example newspaper agencies and kiosks which are mainly micro enterprises, need this time to adapt their products in order not to face a significant loss of clients and reduction of turnover in case a smoking ban would be implemented with only a short preparation period. Furthermore, the impact of a smoking ban on the employment situation, especially without a sufficient preparation period, should be taken into consideration before deciding on any policy options. This impact might vary strongly between the different member states and should not be underestimated.

### **Specificity of the HORECA sector**

While the experiences in Ireland, Italy and Norway have shown neither a decrease in turnover nor a significant loss of employment in this sector, this can not be assumed for all Member States. Therefore the decision to include the HORECA sector into a possible binding smoking ban has to be taken on a case by case basis at national level and follow a serious impact assessment. Different policy options, varying from voluntary regulation, over separate areas for smoker and non-smokers, to a total ban, might be applicable for different national circumstances.

In any case an awareness raising campaign, which sensitises the whole of the population and the companies to the risks for their clients as well as for their staff, would be useful.

### **Supplementary scientific data**

Some supplementary work on this issue could be useful to be taken into consideration:

- ICR-Study “Smoking ban in New York“ October 2003
- Euro barometer Autumn 2005
- Boffetta et al, (1998) ‘Multicenter Case–Control Study of Exposure to Environmental Tobacco Smoke and Lung Cancer in Europe’, Journal of the National Cancer Institute, Vol. 90, No. 19, pp.1440-1450.
- House of Lord’s Lords Select Committee on Economic Affairs (2006) ‘5<sup>th</sup> Report of Session 2005-6: Government Policy on the Management of Risk – Volume 1:Report’,[www]  
<http://www.publications.parliament.uk/pa/ld200506/ldselect/deconaf/183/183i.pdf>
- Enstrom, Geoffrey C. Kabat "Environmental tobacco smoke and tobacco related mortality in a prospective study of Californians. 1960-98

### **Conclusion**

- The topic of environmental tobacco smoke (ETS) is mainly a public health concern
- Involvement of the European level could be most useful by using the OMC, where Member states can exchange their experiences and good practises
- However, fixing timetables at European level would not be useful as Member States need different periods of sensitising their population and their companies, if the decision to have a smoking ban is taken
- In the case of deciding to have a smoking ban at national level, the coming into force needs to be preceded by an intensive awareness raising campaign and giving enterprises sufficient time to adapt themselves to the new situation

- Concerning environmental tobacco smoke, the HORECA sector is a specific case and needs to be treated with cautious and different policy options might be applicable for the various Member states. In any case, an awareness raising campaign to sensitise companies to the risks for their clients as well as for their staff would be useful

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