

From: [BICHO Maria Jose \(COMP\)](#)
To: [SCHOLTEN Karoline \(COMP\)](#)
Cc: [MENIS Claudio \(COMP\)](#)
Subject: FW: Revision of Tobacco Product Directive - Request for a meeting
Date: 25 July 2012 18:11:07

From: BICHO Maria Jose (COMP)
Sent: Friday, June 29, 2012 2:35 PM
To: SOMMER Renate (EP)
Cc: COMP E2 MAIL; REHBINDER Maria (COMP)
Subject: RE: Revision of Tobacco Product Directive - Request for a meeting

Dear Dr Renate Sommer,

Thank you for your e-mail. Mrs Rehbinder has forward it to me, as I have the responsibility for this file.

I can confirm that DG COMP is fully aware of the "plain packaging" issue and the questions it raises. We are closely following it and we have already been in contact with representatives of the Tobacco industry who explained in detail their concerns at this regard. Therefore, further meetings would not appear justified at this stage. However, if your constituents would like to send us any further information in a MEMO or summary expressing their concerns, please advise them to do so.

Please do not hesitate to contact me should you have any further questions.

Kind regards,

Maria José BICHO
Deputy Head of Unit
DG Comp/E2- Consumer goods, basic industries, agriculture and manufacturing
European Commission
B-1049 Brussels
Tel : 00 32 2 296.26.65 -Fax : 00 32 2 296.98.00

From: SOMMER Renate [<mailto:renate.sommer@europarl.europa.eu>]
Sent: Thursday, June 28, 2012 10:38 AM
To: REHBINDER Maria (COMP)
Cc: MENIS Claudio (COMP)
Subject: Revision of Tobacco Product Directive - Request for a meeting

Dear Ms. Rehbinder,

the ensurance of fair competition and protection of EU companies from interferences with trademark and competition rights is one of the key objectives of GD COMPETTION. I am therefore writing to you today to request for a meeting between the Coalition of the Fine Paper Industry and the Commission experts in GD COMPETITION involved in the revision of the Tobacco Product Directive (2001/37/EC).

I am, of course, aware that the major responsibility for the revision lies with GD SANCO. However, given that other GDs involved in the discussions on the revision have obviously raised concerns regarding the proportionality of some of the measures envisaged by GD SANCO, the possibility for a meeting would be greatly appreciated.

In recent months, I have been in regular contact with representatives of the tobacco industry who have informed me about their concerns regarding some of the plans by GD SANCO. Particularly with a view on the potential introduction of the so-called "*plain packaging*" I share these concerns. The idea of *plain packaging* does not only constitute a massive encroachment on trademark and competition law and rights, but would make it even easier for criminal organizations to copy tobacco products thus further increasing illicit trading. Such a development would not only jeopardize the health of tobacco consumers due to potentially unsafe ingredients, but would lead to massive tax deficits and endanger jobs. Particularly SMEs, who supply the big tobacco producers with raw materials and fine paper, would be severely hit by the expected loss in market share. In my constituency, 400 jobs in a company producing cigarette and plug wrap paper, would be in danger.

The coalition for fine paper industry represents SMEs from Germany, Austria, France, Great Britain, Poland and Spain. Spokesperson of this coalition is the Deutsche Benkert GmbH, a company that produces 200 billion tipping papers every year and is a global partner of the tobacco industry. In light of the negative effects that have to be expected from overregulation on many jobs in Germany and other European member states, I would be grateful if you or the responsible expert in your unit would find the time to meet with the director of Deutsche Benkert GmbH, Mr. Arnd Brinker.

I thank you in advance for your kind consideration.

Sincerely,

Dr. Renate Sommer, MEP