



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26/V/2005
C(2005) 1452 final

COMMISSION DECISION

of 26/V/2005

on the library of selected source documents containing colour photographs or other illustrations for each of the additional warnings listed in annex 1 to Directive 2001/37/EC of the European Parliament and of the Council

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(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Decision 2003/641/EC of 5 September 2003 on the use of colour photographs or other illustrations as health warnings on tobacco packages¹, and in particular Article 3 thereof,

Whereas:

- (1) Under Directive 2001/37/EC of the European Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products², each unit packet of tobacco products, except for tobacco for oral use and other smokeless tobacco products, and any outside packaging, with the exception of additional transparent wrappers, must carry a general warning and an additional warning taken from the list set out in Annex I to that Directive.
- (2) Member States can decide whether health warnings in the form of colour photographs or other illustrations are required in combination with the additional warnings.
- (3) Such combined warnings must be in accordance with Decision 2003/641/EC. In particular they must be taken from a library of pre-tested source documents provided by the Commission. In consultations with various experts, pictures or other illustrations were created for each of the 14 additional warnings and pre-tested in all Member States, taking into account the cultural diversity of the European Union.
- (4) For the purpose of having different kinds of images, from rational to emotional, and on the basis of the results of the pre-testing, three images for each of the 14 additional warnings have been selected, given that upon testing they have proven to be the most effective. From this library, Member States may choose the warning illustrations best adapted to consumers in their countries taking into account cultural practices, sensibilities and context.

¹ OJ L 226, 10.9.2003, p. 24.

² OJ L 194, 18.7.2001, p. 26.

- (5) In accordance with Article 3(2) of Decision 2003/641/EC the combined warnings and the technical specifications will be made available on DVD, supplied by the Commission on request.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 10(1) of Directive 2001/37/EC,

HAS ADOPTED THIS DECISION:

Article 1

The library of selected source documents containing combined warnings, consisting of a photograph or other illustration and the corresponding text of the additional warnings listed in Annex I to Directive 2001/37/EC, is set out in Annex I to this Decision.

The technical specifications for printing the combined warnings are set out in Annex II.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26/V/2005

For the Commission
Markos KIPRIANOU
Member of the Commission