



TOBACCO AND RELATED PRODUCTS REGULATIONS 2016	7th June 2016
TO: ENVIRONMENTAL SERVICES COMMITTEE	
FOR INFORMATION	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Resilient, Healthy and Engaged Communities and Protecting and Enhancing Our Environments and Assets
Outcome	Implementation of statutory legislation
Lead Officer	Bryan Edgar
Cost: (If applicable)	Officer Time Spend

1.0 Tobacco and Related Products Regulations 2016

The above Regulations came into force on 20th May. These Regulations, alongside the Standardised Packaging of Tobacco Regulations 2015, implement the majority of the Tobacco Products Directive 40/2014/EC.

Councils are being asked to work with businesses to build compliance over the first year, particularly with small and medium sized businesses that manufacture, import and supply herbal products and e-cigarettes, to which much of this legislation will be new.

Further guidance on the new packaging requirements under both sets of Regulations will also be made available shortly.

The implementation deadline for the Directive and the coming into force of the UK legislation is on the same date. The Department of Health in London were unable to make the legislation any earlier as further detailed rules were necessary from the European Commission, which have been set out in tertiary legislation over the past year. This means that the final requirements have only been known to the industry in the last few months.

There is a sell through period built into both sets of Regulations which means that products compliant with the old legislative regime will still be able to be sold until May 2017. From May 2017 the Regulations come fully into force.

The Department of Health in London has also taken this opportunity to update powers of entry and investigatory powers on a UK-wide basis and will apply the modernised powers set out in Consumer Rights Act 2015. It is intended that the updated enforcement powers will be in force from 1st October 2016.