

Philip Morris challenges new European tobacco laws

June 27 2014

Tobacco giant Philip Morris International said Friday it would contest new rules on tobacco sales at the Court of Justice of the European Union (CJEU).

The new measures, adopted on April 3, cover labelling, ingredients, tracking and tracing, e-cigarettes, cross-border sales and [herbal products](#) for smoking.

Philip Morris said it had filed suit in Britain because the country's courts have "proven to be a fast and efficient forum for private litigants to obtain references to the CJEU on issues involving EU law".

Plaintiffs cannot file suit against European directives directly with the CJEU. Cases must be referred to the court by national jurisdictions.

The firm, which is based in Lausanne in Switzerland, said there were several holes and discrepancies in the new regulations.

"For example, the directive bans menthol cigarettes—a product that is currently legal in all 28 (EU) member states," a statement said.

"By making it illegal for adult smokers in the EU to purchase the product they prefer, the directive disrupts the internal market and creates incentives for illicit trade," it said.

The company said the review process was expected to take up to three

years.

"The directive claims to improve the internal market in tobacco products, but its provisions go in the opposite direction," said Marc Firestone, the company's [senior vice president](#).

"The directive includes a mix of product bans, mandates, and delegations of authority that raise serious questions under the EU Treaties about consumer choice, the free movement of goods, and competition," he added.

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Citation: Philip Morris challenges new European tobacco laws (2014, June 27) retrieved 19 April 2024 from <https://medicalxpress.com/news/2014-06-philip-morris-european-tobacco-laws.html>

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