



ENSP - EUROPEAN NETWORK FOR SMOKING PREVENTION

> IMPLEMENTATION OF EU AD BAN DIRECTIVES

Status on November 2006¹

Updated October 2006	COMMUNICATION ACTIONS COVERED BY THE DIRECTIVES 97/36/EC and 2003/33/EC					OTHER COMMUNICATION ACTIONS TAKING NATIONAL LAW INTO ACCOUNT				
	COUNTRY	TV	RADIO	PRINT MEDIA	SPONSORSHIP INTERNATIONAL EVENTS	INTERNET	INDIRECT ADVERTISING	POINT OF SALE	CINEMA	OUTDOOR
AUSTRIA/c	Banned & enforced	Banned & enforced	Expected enforcement in 2007	Banned & fines beginning of 2007	Banned and not enforced	Restricted but not enforced	Allowed	Restricted but not enforced until 2007	Banned but not enforced (enforcement planned in 2007)	Restricted but not Enforced
BELGIUM/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & Enforced	Almost completely banned	Restricted but not enforced. Brand advertising allowed at pt of sale inside and outside	Banned & enforced	Banned & enforced	Problems: The tobacco industry is paying disproportionately the organisers for places where they can sell cigarettes.
CZECH REP/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned - only exception is car/motor racing (at present time with no time limitation, but novelization in being prepared to harmonize this law with EU Directive) Reasoned opinions' were sent to the Czech Republic (Oct 2006) . If their non-compliance with the directive continues, they will be referred to the ECJ -	Banned & enforced	Restricted	Allowed	Banned & enforced	Banned & enforced	Banned and enforced
CYPRUS/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	No data	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced
DENMARK	Banned & enforced	Banned & enforced	Banned & enforced	Restricted & Enforced	Banned and Enforced	Restricted & Enforced	Allowed	Banned & enforced	Banned & enforced	Restricted
ESTONIA/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned Enforcement planned May 2007	Banned and enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned Enforcement planned May 2007

¹ IMPLEMENTATION DEADLINE: 31 JULY 2005

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FRANCE/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned and Enforced	Restricted but not enforced	Restricted but not fully enforced	Restricted & enforced	Banned & enforced	Banned & enforced	Banned & enforced
FINLAND/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned and Enforced	Banned and Enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced
GERMANY/c	Banned & enforced	Banned & enforced	Allowed; expected enforcement in 2007	Allowed, expected enforcement in 2007	Allowed, expected enforcement in 2007	Allowed	Allowed	Allowed from 6 pm Banned but not enforced before 6 pm	Allowed	Allowed
GREECE/c	Banned & enforced	Banned & enforced	Restricted but not enforced	Restricted	Not enforced	Restricted but not enforced	No Restriction	Restricted but not Enforced	Banned but not enforced	Restricted and enforced
HUNGARY/c	Banned & enforced	Banned & enforced	Banned & enforced	On 8 Nov 2006 the Ministry of Economics submitted to the Parliament a bill amendment concerning the Hungarian advertising act. The aim is to bring in line Hungarian regulation on the sponsorship of intl sport events by tobacco companies. Hungary has been warned by the EC for allowed tobacco industry sponsorship" in the case of events of economic significance" The wording of the present regulation has been formulated in a way to allow tobacco advertising and industry sponsorship. The present amendment does not allow any exemption concerning tobacco advertising. Hopefully there will be no problems in the parliament and the Hungarian F1 race will be tobacco ads free as of 2007	Banned & enforced	Restricted and enforced	Restricted and enforced Posters, and display of promotional material allowed	Banned & enforced	Banned & enforced	Restricted and enforced Sponsorship of cultural events and orgs still allowed

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IRELAND/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Restricted & Enforced	Allowed	Banned & enforced	Banned & enforced	Banned & enforced
ITALY	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced?	Banned & enforced	Banned & enforced	Restricted but not enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced
LATVIA/c	Banned & enforced	Banned & enforced	Banned & enforced	Restricted and enforced	Banned	Banned	Restricted & Enforced	No Restriction	Banned and enforced - from 01.01.06	Banned & enforced	Restricted and enforced
LITHUANIA/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned and enforced	Banned	Banned	Banned but not enforced	Restricted & enforced Advertising forbidden but info on products allowed	Banned & enforced	Banned & enforced	Partial ban only for events for young people under 18 yrs of age
LUXEM-BOURG/c	Banned & enforced	Banned & enforced	Banned (limited to publications intended excl. for professionals in tobacco trade)	Banned (contracts signed before September 05 2006 can be executed until September 2008)	Allowed	Banned (contracts signed before September 05 2006 can be executed until September 2008)	Allowed only inside the point of sale	Banned & enforced	Banned (contracts signed before Sept 5 2006 can be executed until September 2008)	Banned (contracts signed before Sept 5 2006 can be executed until September 2008)	
NETHERLANDS/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Restricted and enforced Cig advertisement outside of tobacconist should not exceed 2m ² in size	Banned & enforced	Banned & enforced	Banned & Enforced	
MALTA/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned	Banned & enforced	Allowed	Banned & enforced	Banned & Enforced	Banned & enforced	
POLAND/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Advertising forbidden but info on products allowed	Banned & enforced	Banned & enforced	Banned & enforced	
PORTUGAL	Banned & enforced	Banned & enforced	Banned & enforced	Banned	Banned & enforced	Restricted & Enforced	Allowed	Banned & enforced	Banned & enforced	Banned & enforced	

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ROMANIA/c	Banned Date of enforcement 1.1.2007-Law 457/2004 regarding advertising and sponsorship for the tobacco products (law that transposes the 2002/33/EC)	Banned Dated of enforcement 1.1.2007 - Law 457/2004 regarding advertising and sponsorship for the tobacco products (law that transposes the 2002/33/EC)	Banned (limited to publications intended exclusively for professionals in tobacco trade and in the publications that were not edited.)	Banned (for events or activities involving or taking place in at least two EU Member States out of which one is Romania or otherwise having cross border effects. Date of enforcement 1.1.2007. -Law 457/2004 regarding advertising and sponsorship for the tobacco products (law that transposes the 2002/33/EC)	Banned. Date of enforcement 1.1.2007 -Law 457/2004 regarding advertising and sponsorship for the tobacco products (law that transposes the 2002/33/EC)	Banned Date of enforcement 1.1. 2007 - Law 457/2004 regarding advertising and sponsorship for the tobacco products	Banned Date of enforcement 1.1.2007 Law 457/2004 regarding advertising and sponsorship for the tobacco products	Banned Date of enforcement 1.1.2007 Law 457/2004 regarding advertising and sponsorship for the tobacco products	Banned Date of enforcement 1.1.2007 Law 457/2004 regarding advertising and sponsorship for the tobacco products	Not mentioned explicitly (sponsorship is banned for events or activities involving or taking place in at least two EU Member States out of which one is Romania or otherwise having cross border effects) Date of enforcement 1 st of January 2007 - Law 457/2004 regarding advertising and sponsorship for the tobacco products
SWEDEN/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced
SLOVENIA/c	Banned & enforced	Banned & enforced	Banned & enforced (limited to publications intended exclusively for professionals in the tobacco trade) (provision accepted by national Parliament on the 27 October 2005)	Banned & enforced	Banned & enforced (provision accepted by national Parliament on the 27 October 2005)	Banned and enforced	Restricted and enforced (use of trade mark sign only at the point of sale and production)	Banned & enforced (provision accepted by national Parliament on the 27 October 2005)	Banned & enforced (provision accepted by national Parliament on the 27 October 2005)	Banned & enforced
SLOVAKIA/c	Banned & enforced	Banned & enforced	Banned & enforced	Sponsorship allowed, but without mentioning tobacco product name	Banned & enforced	Banned & enforced	Restricted to counter sales area	Banned & enforced	Banned & enforced	Sponsorship still allowed, but without mentioning tobacco product name

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SPAIN/c	Banned & enforced	Banned & Enforced	Banned & Enforced	Banned & Enforced	Allowed for motor sports for the next 3 years Reasoned opinions' were sent to Spain (oct 2006). If their non-compliance with the directive continues, they will also be referred to the ECJ – as was the case with Germany in June 2006.	Banned & Enforced	Banned & Enforced	Banned & Enforced	Banned & Enforced	Banned & Enforced	Banned & Enforced
UK/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Restricted and enforced Restricted to counter sales area, adverts can be no larger than A5 poster	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced
EFTA COUNTRIES:											
ICELAND	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced
NORWAY/c	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced	Banned & enforced
SWITZERL/c	Banned & enforced	Banned & enforced	Restricted	Allowed	Allowed	Restricted	Allowed	Allowed	Restricted	Restricted	Restricted

*Indirect advertising is advertising which, while not specifically mentioning the tobacco product, tries to circumvent a tobacco advertising ban or restriction by using brand names, trade names, emblems or other distinctive features of tobacco products with the aim or the indirect effect of promoting a tobacco product.