



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12/IV/2006
C (2006) 1502 final

COMMISSION DECISION

of 12/IV/2006

amending Commission Decision C(2005) 1452 final of 26 May 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

(Text with EEA relevance)

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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 3.2 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 Commission Decision 2003/641/EC. In accordance with Article 3(1) to this Decision, the library of selected source documents containing combined warnings was adopted by Commission Decision C(2005) 1452 final of 26 May 2005,
- (4) In accordance with Article 3(2) first sentence of Decision 2003/641/EC the combined warnings were supplied by electronic means to the Member States on 12 July 2005,
- (5) The library of selected source documents adopted by Decision C(2005) 1452 final of 26 May 2005 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 can be applied to most tobacco packages. Some tobacco packages require specific provisions for the editing of the combined warnings in order

¹ OJ L 226, 10.9.2003, p. 24.

² OJ L 194, 18.7.2001, p. 26.

to avoid distortion. For these tobacco packages further technical specifications for printing should be developed,

HAS ADOPTED THIS DECISION:

Article 1

Decision C(2005) 1452 final is amended as follows:

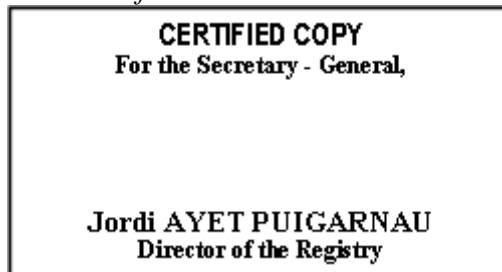
- (1) The second paragraph of Art.1 is replaced by the following:
“The technical specifications for printing the combined warnings are set out in Annex II and III”
- (2) Annex II is replaced by the text as set out in Annex I to this Decision.
- (3) Annex III as set out in Annex II to this Decision is added.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12/IV/2006.

For the Commission
Markos KYPRIANOU
Member of the Commission



ANNEX I

“ANNEX II

Technical specifications for printing

The combined warnings must be reproduced without any changes to their proportions or colours unless otherwise specified in Annex III.

The combined warnings are conceived as a whole image and must not be amended unless otherwise specified in Annex III.

The combined warnings must be printed in four-colour/-CMYK-/ screen 133 lines per inch, as a minimum requirement.”

ANNEX II

“ANNEX III

Where the size of the package so requires, the combined warnings can be modified according to the following rules.

The graphical editing of the textual elements shall be done by varying font size and line breaks to ensure high readability.

For combined warnings where the illustration is a text, the graphical editing shall be done by varying font size and line breaks. The relative surfaces occupied by text as an illustration and the corresponding text of the additional warning must be respected.

For combined warnings where a photograph or other illustration is an image, the graphical editing shall be done by proportionate scaling of the photograph or other illustration and varying of the relative surfaces occupied by the photograph or other illustration and the corresponding text of the additional warning.

When the proportion between the height and the width of the combined warning is lower than 0.8, the corresponding text of the additional warning, if placed under the photograph or other illustration in the library of selected source documents, may be moved to the right of the photograph or other illustration.

When the proportion between the height and the width of the combined warning exceeds 1.2, the corresponding text of the additional warning, if placed to the side of the photograph or other illustration in the library of selected source documents, may be moved under the photograph or other illustration.