



An tSeirbhís Sláinte Comhshaoil,
Páirc Ghnó na Gaillimhe, An Daingean, Gaillimh. H91 EW40
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Regional Chief
Environmental Health Service
Health Service Executive,
Galway Business Park, Dangan, Galway. H91 EW40
Tel: (091) 737350

Bernard J. Durkan TD
Leinster House
Kildare Street
Dublin 2

28th September 2020

Dear Deputy Durkan,

Re: PQ ref 23994/20

To ask the Minister for Health the reason the HSE failed to input to the expert group on tobacco of the EU Commission regarding breaches of the ban on menthol cigarettes when the issue was discussed by the group in June 2020; the reason menthol flavoured tobacco products remain on shelves when the HSE has the power to remove them; the status of the investigation by the HSE into these breaches; and if he will make a statement on the matter.

Response

The HSE can confirm that they were present at the EU Commission 'Meeting of The Group of Experts on Tobacco Policy' 26th June 2020 which took place virtually via webinar due to Covid 19 and participated in the discussion on the breaches of the ban on menthol cigarettes.

The HSE has engaged with tobacco manufacturers who have notified cigarettes and roll your own tobacco products that contain menthol to the Health Service Executive via the European Union Common Entry Gate (EUCEG). Where cigarette and roll your own tobacco products containing menthol remain on the EUCEG the HSE is following due process in the course of its investigations. The 'Commission Implementation Regulation (EU) 2016/779 laying down uniform rules as regards the procedures for determining whether a tobacco product has a characterising flavour' was transposed by The European Union (Manufacture, Presentation and Sale of Tobacco and Related Products) (Amendment) Regulations 2017 (S.I. No. 252/2017) which outlines the legal procedures that the HSE may follow in determining whether a cigarette or roll your own tobacco product has a characterising flavour.

This investigation remains open.

Due Date: 29th September 2020

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Maurice Mulcahy', written over a horizontal line.

Dr. Maurice Mulcahy
Regional Chief Environmental Health Officer