

Dear Mr. Wijnker

Thank you for your email on 25th May informing us the RIVM will be making publically available a comparison of some Imperial Tobacco cigarettes under both the Canadian Intense smoking regime and the ISO methods.

Standardized smoking regimes sample the smoke of a product in a standardized way, allowing products to be compared by regulatory authorities- no standardized testing methodology is able to replicate the smoking behaviour of every smoker. TNCO cigarette emissions using the ISO smoking regime and those from the Canadian Intense method are so different, any comparison is invalid. As with statistics, the outcomes change depending the method used.

As highlighted by the European Commission and Member States during an EU Ingredients expert group meeting: “Member States (...) acknowledged that each of the known methods has its advantages and disadvantages and modification of the method would imply re-discussing the current emission thresholds”<sup>1</sup>.

We believe this data should be shared with an explanatory note, clarifying the differences in the ISO smoking regime, which is currently mandated in the Tobacco Products Directive for testing cigarettes, and the Canadian intense method. Namely:

### **The ISO smoking regime**

- For over 25 years, the measurement, testing, verification, and on pack communication to consumers relating to the tar, nicotine and carbon monoxide (TNCO) emissions from tobacco products have been strictly legislated by the EU Commission; compliance is mandatory if tobacco manufacturers wish to place their tobacco products on the market of an EU Member State.
- The most recent Tobacco Products Directive (TPD) mandates the use of the internationally validated ISO standards that cover cigarette sampling and testing of TNCO emissions.
- Test results are independently verified by EU Member States' designated governmental laboratories or other public institutions, details of which are provided in the List of Approved Laboratories [Article 4(2) of the TPD].
- The application of filter ventilation has been known, understood and permitted by EU regulators under all current and past European Tobacco regulation, most recently in the revised TPD, 2014.
- The Tobacco Products Directive 2001 (TPD1) required manufacturers to print TNCO yields on all cigarette packaging. In the revised Tobacco Products Directive 2014 (TPD2), this requirement was removed by Article 13, which states this information created “an erroneous impression about [a product’s] characteristics, health effects, risks or emissions”. Article 13 was transposed into the revised Dutch Tobacco Act in 2016.

### **The Canadian Intense smoking regime**

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<sup>1</sup> <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeetingDoc&docid=12667>

- The Canadian Intense smoking regime is not the mandatory legislative smoking regime in the EU.
- The Canadian Intense regime differs to ISO in many parameters, including puff duration, volume and frequency<sup>2</sup>. Canada is the only country which mandates that tobacco manufacturers must report TNCO emissions values in cigarettes using this method.
- Unlike the EU, Canadian legislation does not impose limits on TNCO levels in tobacco products.
- Canadian legislation also forbids the printing of TNCO emissions on product packaging as the information *“is not clearly understood by some smokers and that most have little idea what the range of numbers displayed for each chemical means.”*<sup>3</sup>

If European legislators believe the current measurement method needs to be reviewed, we stand ready to contribute with our technical expertise to ensure any measurement method is repeatable, reproducible and validated as an internationally-recognized method.

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<sup>2</sup> Comparison of Canadian Intense & ISO smoking regimes: <https://www.iso.org/obp/ui/#iso:std:iso:tr:19478:-2:ed-1:v1:en>

<sup>3</sup> Canada Privy Council 2011-925 Tobacco Products Labelling Regulations (Cigarettes and Little Cigars), 22 September 2011