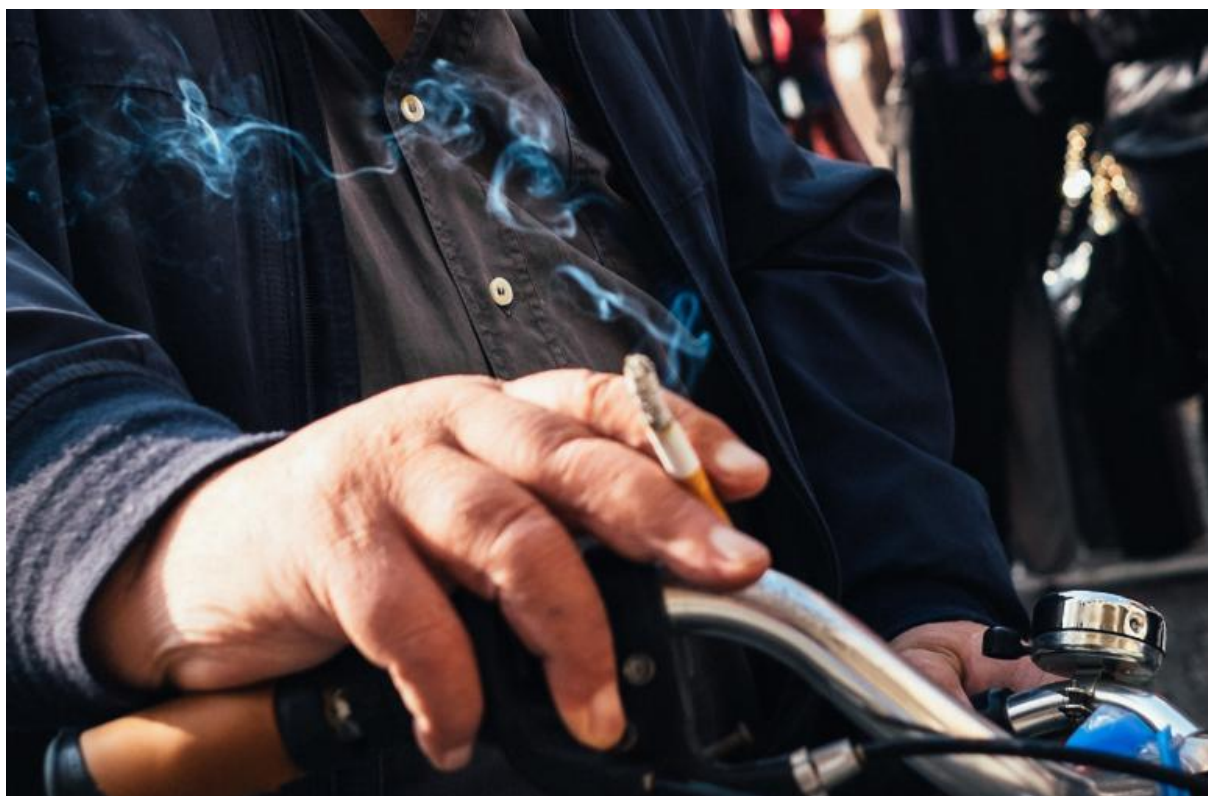


# Tobacco lobby stubs out total German tobacco ad ban

[Der Tagesspiegel](#) by [Rainer Woratschka](#) translated by [Samuel Morgan](#)

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Germany, along with Bulgaria, are the only member states not to have an outdoor ban on tobacco advertising. [\[Fabrizio Maestroni/Flickr\]](#)

**The ambitious plans of the Federal Minister for Food, Agriculture and Consumer Protection, Christian Schmidt, to ban tobacco advertising have been scaled back. Critics have cited pressure from the tobacco industry. [EurActiv's partner Tagesspiegel reports.](#)**

Christian Schmidt's (CSU) plan to ban tobacco advertising still, on the face of things, sounds positive. "Protecting our children and young people from the dangers of smoking is paramount," said the minister responsible for consumer protection. "Therefore, I have not only submitted a law that will implement the provisions of the European Tobacco Products Directive, but also that will ban outdoor advertising," he added. In this respect, Germany is rather late to the party, as it is the only EU member state, along with Bulgaria, that has not already banned it.

The minister's ambitious plans, which would have gone beyond what is called for in European legislation, have now been scaled back, mostly due to pressure from the tobacco lobby, the Federal Ministry for Economic Affairs, and the Chancellery.

Firstly, the outdoor ban will not come into effect in mid-2018, as previously planned, but will be delayed by two years. Secondly, there will be no blanket-ban on cinema advertising; it will only apply to films that are aimed at children and young people. The third change means cigarette and pipe tobacco producers will not have to include so-called shock images, such as diseased lungs and rotten teeth, on their packaging.

### **No reason given**

The new draft legislation will make use of an exemption in the European Directive, under which "tobacco products for smoking, other than cigarettes and roll-your-own tobacco products and water-pipe tobacco" can be excluded. They must only carry health warnings such as "Smoking kills" and in the future, these warnings will have to cover at least 30% of the most visible face of the packet, along with text indicating the dangers of smoking. In the first draft, that distinction between different tobacco products was not made.

The ministry would not comment on the reasons behind the change of direction. "Changes and adjustments to proposed laws are all a part of the political process," said a spokesperson. The anti-smoking initiative, "Smoke-Free Forum" indicated that they believe the tobacco industry and lobby had exerted their influence over the government.

Since 2010, tobacco lobbyists had been received 54 times at federal ministries and the Chancellery, said an association spokesperson Johannes Spatz. He added that politicians had "caved in time and time again under tobacco lobby pressure".

### **Lobbyists to blame?**

Schmidt had previously highlighted his desire to go beyond European requirements to display larger warning messages by May 2016. The tobacco lobby had little hope of blocking legislation that is to be rolled out in all 28 member states. However, they have insisted that the harmonisation of smoking legislation be adopted as it is, rather than adding to it or making it more stringent. The German advertising association argued that an advertising ban would "go against the fundamental principles of the free market".

Another German smoking association successfully argued that new labelling measures would be devastating to cigarillo and pipe-tobacco producers.

One of Schmidt's predecessor's, Renate Künast (Greens) stated that the only way she could explain the change of tack was tobacco lobby influence. She added that it would be no problem even for smaller companies to roll out new packaging and that the ban on cinema advertising on under-18 films was flawed. "Why, just because someone has reached 18, are they less easily influenced?" she asked.

The lobbyists did not succeed in overturning the decision to institute a complete ban on outdoor advertising. However, it is not seen as a massive blow to the industry, as other points of sale will be strengthened instead. It seems that young people will continue to be exposed to smoking and it may be even more focused than before.