



EXECUTIVE SUMMARY TO FINAL REPORT:
**Study on smoke-free environments and
advertising of tobacco and related products**

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This report was produced under the EU Third Health Programme 2014-2020 under a service contract with the Consumers, Health, Agriculture and Food Executive Agency (Chafea) acting under the mandate from the European Commission. From 1 April 2021, a new executive Agency with name HaDEA (Health and Digital Executive Agency) is taking over all contractual obligations from Chafea. The information and views set out in this report are those of the author(s) and do not necessarily reflect the official opinion of the Commission/Executive Agency. The Commission/Executive Agency do not guarantee the accuracy of the data included in this study. Neither the Commission/Executive Agency nor any person acting on the Commission's/Executive Agency's behalf may be held responsible for the use which may be made of the information contained therein.

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Study on smoke-free environments and
advertising of tobacco and related products
Specific contract 2019 71 01 implementing
FWC N°SANTE/2016/A1/39 – Lot1

Executive Summary

Draft version

Date: December 2021

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Luxembourg: Publications Office of the European Union, 2018

ISBN: 978-92-76-42345-4

doi:10.2875/316884

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Abstract

This study examined two important aspects of tobacco control: on the one hand, advertising, promotion and sponsorship and on the other, smoke-free environments.

In relation to the former, most Member States have successfully implemented, introduced and monitored rules, and compliance has been high. However, new products and forms of advertising, promotion and sponsorship have created implementation and monitoring challenges. Gender, education, current use of tobacco and related products, and age were associated with noticing advertisements and promotions. Current use of tobacco or related products and country seemed to influence the appeal of advertisements and interest in trying products. Young people were seen as the target of many advertisements, although current use of products was more of a predictor of appeal than age. Concluding lessons and recommendations concern gaps in the current regulatory framework, implementation / application challenges, as well as compliance challenges.

In relation to smoke-free aspects, this study further documents positive social, economic, and environmental impacts of smoke-free environments, showing that most countries have implemented the Council Recommendation (2009 Council Recommendation on smoke-free environments 2009/C 296/02). Compliance with national rules, as well as monitoring and enforcement has been high, and, since 2013, countries have increased protection for children and adolescents. However, there have been several challenges, including differences in the ease of enforcement depending on the environment type: exposure to tobacco smoke, e-cigarettes and heated tobacco products seemed to be most common in certain outdoor environments. Most countries have multi-sectoral tobacco control policy programmes since 2013, with almost all having comprehensive guidelines, media campaigns to promote smoking cessation and telephone quit lines. Finally, concluding lessons and recommendations concern identified gaps in the current regulatory framework, implementation and application challenges, compliance challenges, and enforcement issues.

Executive Summary

This report presents the results of the external study commissioned by the European Commission's Directorate-General for Health and Food Safety (DG SANTE) on smoke-free environments, and advertising, promotion and sponsorship of tobacco and related products.

Introduction

Key provisions on advertising, promotion and sponsorship of tobacco and related products are set out in the Tobacco Advertising Directive (TAD) 2003/33/EC, the Audio-visual Media Services Directive (AVMSD) amended by Directive (EU) 2018/1808, and the Tobacco Products Directive 2014/40/EU. Smoke-free environments' provisions and policies are outlined in the 2009 Council Recommendation on smoke-free environments 2009/C 296/02. Against such a framework, this external study aims at providing an independent evidence base, using primary and secondary data, to explore such provisions through two overarching objectives: offering an overview of the application of provisions related to advertising, promotion and sponsorship of tobacco and related products in all EU Member States (Work Stream 1), and, provide an assessment of smoke-free environment provisions and policies in all EU Member States, EU candidate countries and countries of the European Economic Area (Work Stream 2). Carried out between May 2020 and September 2021, the following evidence concerning Work Stream 1 was collected: Member States' rules and key legislative and policy developments; tobacco industry advertising, promotion and sponsorship activities; exposure to advertising, promotion and sponsorship of tobacco and related products; and placement and content of advertising, promotion and sponsorship. The study also

collected the following evidence regarding Works Stream 2: legislation on smoke-free environments; enforcement of the legislation; progress made to protect children and adolescents; measures for cessation; multi-sectoral approaches; and impacts of rules on smoke-free environments.

We reviewed and assessed against the guiding study questions relevant qualitative and quantitative information gathered from desk research, including an extensive collection of peer-reviewed and grey literature sources, as well as a mapping of national rules. The consultation approach sought to collect further information and feedback on various aspects of the key topics from several stakeholder groups, which further fed into the assessment and analysis. We structured the stakeholder consultation around a variety of different sub-tasks, including targeted stakeholder surveys, phone interviews, focus groups, a citizen's survey of a sample of at least 500 respondents from each of 10 EU/EEA countries, and observational research.

Findings presented in this report are based on analysis and triangulation of the data gathered from these various sources. A draft report was peer-reviewed by three independent external experts (Sara Hitchman, Gera Nagelhout and Ute Mons), whose suggestions have been integrated in the final report.

The results and findings contained in the Impact Assessment of 2008 accompanying the Council Recommendation on Smoke-Free Environments¹ are still largely valid.

Work Stream 1 on advertising, promotion and sponsorship of tobacco and related products

Most Member States have successfully implemented and monitored rules and provisions on advertising, promotion, and sponsorship. There has also generally been a high level of compliance. However, new products and new forms of advertising, promotion and sponsorship have created some challenges in implementing and monitoring rules.

There have not been many issues with **implementing** the various EU and international rules on advertising, promotion and sponsorship of tobacco and related products, and overall the definitions contained in these rules are clear and unambiguous. However, some difficulties did emerge, which centre on three main problems: firstly, there are discrepancies between the key definitions contained in the different rules. The terms 'tobacco products', 'advertising' and 'sponsorship' are defined slightly differently in the TAD, FCTC, AVMSD and TPD, while some provisions refer to 'commercial communications'. Secondly, difficulties or gaps exist regarding advertising, promotion, and sponsorship on Internet and social media (including regulation of social media influencers), and finally, gaps exist concerning emerging or novel products which categorisation as traditional tobacco products or e-cigarettes poses difficulties. This concerns heated tobacco products and their devices, nicotine products, herbal products, and flavour cards.

Most **advertising, promotion and sponsorship activities** have been prohibited for traditional tobacco products for smoking in the Member States, therefore only a few types of advertising, promotion and sponsorship activities remain, including ads in trade magazines (though these are not directed at the consumer but exclusively at retailers), providing product information on the manufacturer's website and point-of-sale advertisement (including putting products at eye-level in stores and newsletters directed at retailers). There are fewer national rules for advertising, promotion and sponsorship activities of e-cigarettes and heated tobacco products (especially in terms of internet, social media and mobile applications). Table 1 provides more detailed information. The table represents national rules stemming from transposition of EU legislation,

¹ Commission of the European Communities. (2009). COMMISSION STAFF WORKING DOCUMENT: Accompanying document to the Proposal for a COUNCIL RECOMMENDATION on smoke-free environments: IMPACT ASSESSMENT. Available at: https://eur-lex.europa.eu/resource.html?uri=cellar:61a070b4-d46e-4d1f-8d8b-8ff57923d5d8.0001.01/DOC_1&format=PDF

implementation of FCTC provisions or Member States' own initiative, and is based on self-reported data.

Table 1. Overview of the **self-reported** level of coverage of national rules on advertising, promotion and sponsorship (across all countries in scope)

		Traditional products for smoking	E-cigarettes	Heated tobacco products
Billboards, posters and other types of advertising outside the house	Advertising outside the home	Full ban: BE CY DK EE ES FI FR GR HR HU IE IT LU LV NL PL PT RO SE SI SK UK Partial ban: AT BG CZ DE LT No ban: none	Full ban: BE CY DK EE ES FI GR HR HU IT LU LV NL PL PT RO SI SK Partial ban: AT BG CZ DE FR IE LT UK No ban: SE	Full ban: BE CY DK EE ES FI FR GR HR HU IE IT LU NL PT SE SI SK UK Partial ban: AT BG CZ DE LT LV PL RO No ban: none
	Cinema advertising	Full ban: AT BE CY CZ DK EE ES FI GR HR HU IE IT LT LU LV NL PL PT RO SE SI SK UK Partial ban: BG DE No ban: FR	Full ban: AT BE CY DK EE ES FI GR HR HU IT LT LU LV NL PL PT RO SI SK Partial ban: BG DE UK No ban: CZ FR IE SE	Full ban: BE CY CZ DK EE ES FI GR HR HU IE IT LT LU NL PL PT SE SI SK UK Partial ban: AT BG DE LV RO No ban: FR
Points of sale, sample, giveaways, promotional items and direct marketing	Free samples, free gifts and promotional items	Full ban: AT BE CY CZ DK EE ES FI FR GR HR HU IE IT LT LU LV NL PL PT SE SI SK UK Partial ban: BG DE RO No ban: none	Full ban: AT BE CY CZ DK EE ES FI GR HR HU IT LT LU LV NL PL PT SI SK UK Partial ban: BG FR IE SE No ban: DE RO	Full ban: BE CY CZ EE ES FI FR GR HR HU IE IT LT LU NL PL PT SE SI SK UK Partial ban: AT BG DK LV RO No ban: DE
	Free trial of tobacco and related products	Full ban: BE CY CZ DK EE ES FI FR GR HR HU IE IT LT LU LV NL PL PT SE SI SK UK Partial ban: AT BG DE RO No ban: none	Full ban: BE CZ DK EE ES FI GR HR HU IT LT LU LV NL PL PT SI SK UK Partial ban: AT BG CY FR IE SE No ban: DE RO	Full ban: BE CY CZ DK EE ES FI FR GR HR HU IE IT LT LU NL PL PT SE SI SK UK Partial ban: AT BG LV RO No ban: DE
	Competitions or prize draws linked to tobacco and related products	Full ban: AT BE CY CZ DE EE FI FR GR HR HU IE IT LT LU LV NL PL PT SE SI SK UK Partial ban: BG ES No ban: RO	Full ban: BE CY CZ DE EE FI FR GR HR HU IT LT LU LV NL PL PT SI SK UK Partial ban: AT BG ES IE SE No ban: RO	Full ban: BE CY CZ DE EE ES FI FR GR HR HU IE IT LT LU NL PL PT SE SI SK UK Partial ban: AT BG LV No ban: RO
	Products visible on display in shops, supermarkets and other retail outlets	Full ban: ES FI GR HR LU LV PT SI SK UK Partial ban: CZ DK EE HU IE NL No ban: AT BE BG CY DE FR IT LT PL RO SE	Full ban: CZ ES FI GR HR LU LV PT SI SK UK Partial ban: DK EE HU IE NL No ban: AT BE BG CY DE FR IT LT PL RO SE	Full ban: CZ ES FI FR GR HR LU PT SI SK UK Partial ban: DK EE HU IE LV NL No ban: AT BE BG CY DE IT LT PL RO SE

		Traditional products for smoking	E-cigarettes	Heated tobacco products
	Advertising at point of sale in shops, supermarkets and other retail outlets	Full ban: CY EE ES FI FR GR HR HU IT LT LU LV PL PT SI SK UK Partial ban: BE DK IE NL SE No ban: AT BG CZ DE RO	Full ban: CY EE ES FI GR HR HU IT LT LU LV PL PT RO SI SK UK Partial ban: AT BE CZ DK FR IE NL No ban: BG DE SE	Full ban: CY DK EE FI FR GR HR HU IT LT LU PL PT SI SK UK Partial ban: BE CZ ES IE LV NL SE No ban: AT BG DE RO
Printed media	National or local print advertising for the general public	Full ban: BE BG CY CZ DE EE ES FI FR GR HR HU IE IT LT LU LV NL PL PT RO SE SI SK UK Partial ban: AT DK No ban: none	Full ban: BE BG CY CZ DE DK EE ES FI FR GR HR HU IE IT LT LU LV NL PL PT RO SE SI SK UK Partial ban: AT No ban: none	Full ban: BE BG CY CZ DE EE ES FI FR GR HR HU IE IT LT LU NL PL PT RO SE SI SK UK Partial ban: AT DK LV No ban: none
	International print advertising for the general public	Full ban: AT BG CY CZ ES GR HR IE IT LT LU LV NL PL PT SI SK UK Partial ban: BE DE FI HU RO SE No ban: FR	Full ban: AT BG CY CZ ES GR HR IE IT LT LU LV NL PL PT SI SK UK Partial ban: BE DE FI HU RO SE No ban: FR	Full ban: BG CY CZ ES GR HR IE IT LT LU NL PL PT SI SK UK Partial ban: AT BE DE FI HU LV RO SE No ban: FR
	Print advertising in the trade press	Full ban: ES GR LU LV PT SK Partial ban: CY FI HR RO SI UK No ban: AT BE BG CZ DE DK EE FR HU IE IT LT NL PL SE	Full ban: ES GR LU LV PT SK Partial ban: CY FI HR RO SI UK No ban: AT BE BG CZ DE DK EE FR HU IE IT LT NL PL SE	Full ban: ES GR LU PT SK Partial ban: CY FI HR LV RO SI UK No ban: AT BE BG CZ DE DK EE FR HU IE IT LT NL PL SE
TV and radio and product placement	National or local TV advertising	Full ban: AT BE BG CY CZ DE EE ES FI FR GR HR HU IE IT LT LU LV NL PL PT RO SE SI SK UK Partial ban: none No ban: none	Full ban: AT BE BG CY CZ DE EE ES FI FR GR HR HU IE IT LT LU LV NL PL PT RO SE SI SK UK Partial ban: none No ban: none	Full ban: BE BG CY CZ DE EE ES FI FR GR HR HU IE IT LT LU NL PL PT RO SE SI SK UK Partial ban: AT LV No ban: none
	International TV advertising	Full ban: AT BG CY CZ DE EE ES FI GR HR HU IE LT LU NL PL PT RO SI SK UK Partial ban: BE IT LV SE No ban: FR	Full ban: AT BG CY CZ DE EE ES FI GR HR HU IE LT LU NL PL PT RO SI SK UK Partial ban: BE IT LV SE No ban: FR	Full ban: BG CY CZ DE EE ES FI GR HR HU IE LT LU NL PL PT RO SI SK UK Partial ban: AT BE IT LV SE No ban: FR
	National or local radio advertising	Full ban: AT BE BG CY CZ DE EE ES FI FR GR HR HU IE IT LT LU LV NL PL PT RO SE SI SK UK	Full ban: AT BE BG CY CZ DE EE ES FI FR GR HR HU IE IT LT LU LV NL PL PT RO SE SI SK UK	Full ban: BE BG CY CZ DE EE ES FI FR GR HR HU IE IT LT LU NL PL PT RO SE SI SK UK

		Traditional products for smoking	E-cigarettes	Heated tobacco products
		Partial ban: none No ban: none	Partial ban: none No ban: none	Partial ban: AT LV No ban: none
	International radio advertising	Full ban: AT BG CY CZ DE EE ES FI GR HR HU IE LT LU NL PL PT RO SI SK UK Partial ban: BE IT LV SE No ban: FR	Full ban: AT BG CY CZ DE EE ES FI GR HR HU IE LT LU NL PL PT RO SI SK UK Partial ban: BE IT LV SE No ban: FR	Full ban: BG CY CZ DE EE ES FI GR HR HU IE LT LU NL PL PT RO SI SK UK Partial ban: AT BE IT LV SE No ban: FR
	Product placement	Full ban: BE BG CY CZ DE EE ES FI FR GR HR HU IE IT LT LU LV NL PL PT SE SI SK UK Partial ban: AT RO No ban: none	Full ban: BE BG CY CZ DE EE ES FI GR HR HU IE IT LT LU LV NL PL PT SE SI SK UK Partial ban: AT No ban: FR RO	Full ban: BE BG CY CZ DE EE ES FI FR GR HR HU IE IT LT LU NL PL PT SE SI SK UK Partial ban: AT LV RO No ban: none
Internet, social media and mobile applications	Online sales by specialist retailers of tobacco and related products for smoking	Full ban: AT BE BG CY DE DK EE ES FI FR HR HU IT LT LU LV NL PL PT SI SK UK Partial ban: CZ IE RO SE No ban: GR SK	Full ban: AT BE BG CY CZ DE DK EE ES FI HR HU LT LU LV NL PL PT SE SI Partial ban: FR IE IT RO No ban: GR SK	Full ban: BE BG CY DE DK EE ES FI FR HR HU LT LU NL PL PT SI Partial ban: AT CZ IE IT LV RO SE No ban: GR SK
	Wider sales channels	Full ban: AT BE BG CY DE EE ES FI HR HU IT LT LU LV NL PL PT SI SK Partial ban: CZ FR IE RO SE UK No ban: GR	Full ban: AT BE BG CY CZ DE EE ES FI HR HU LT LU LV NL PL PT SE SI SK Partial ban: FR IE IT RO No ban: GR	Full ban: BE BG CY DE EE ES FI HR HU LT LU NL PL PT SI SK Partial ban: AT CZ FR IE IT LV RO SE No ban: GR
	Non-retailer websites, social media, appstore or apps downloaded from appstores for mobile devices	Full ban: AT BE BG CY DE DK EE ES FI HR HU IT LT LU LV NL PT RO SE SI SK Partial ban: CZ FR IE UK No ban: GR	Full ban: AT BE BG CY CZ DE DK EE ES FI HR HU LT LU LV NL PT RO SE SI SK Partial ban: FR IE IT No ban: GR	Full ban: BE BG CY DE DK EE ES FI HR HU LT LU NL PT SI SK Partial ban: AT CZ FR IE IT LV RO SE No ban: GR

		Traditional products for smoking	E-cigarettes	Heated tobacco products
Sponsorship, corporate responsibility, corporate promotion and other public relations tactics, brand stretching and imitation products	Sponsorship	Full ban: AT BE CY EE ES FI FR GR HR HU IE IT LT LU LV NL PL PT SE SI SK UK Partial ban: BG CZ DE DK RO No ban: none	Full ban: AT BE CY CZ DK EE ES FI FR GR HR HU IT LT LU LV NL PL PT SE SI SK UK Partial ban: BG DE IE RO No ban: none	Full ban: AT BE CY EE ES FI FR GR HR HU IE IT LT LU NL PL PT SE SI SK UK Partial ban: BG CZ DE DK LV RO No ban: none
	Corporate Social Responsibility actions by tobacco companies	Full ban: AT BE CY CZ EE ES FI FR GR HR HU IE IT LT LU LV PL PT SI SK UK Partial ban: RO No ban: DE NL SE	Full ban: AT BE CY CZ EE ES FI FR GR HR HU IT LT LU LV PL PT SI SK UK Partial ban: IE No ban: DE NL RO SE	Full ban: AT BE CY CZ EE ES FI FR GR HR HU IE IT LT LU PL PT SI SK UK Partial ban: LV RO No ban: DE NL SE
	Brand stretching and imitation products	Full ban: AT CY CZ ES FI FR GR HR IE IT LT LU LV PL RO SI SK UK Partial ban: BE DK HU NL PT SE No ban: BG DE	Full ban: AT CY CZ ES FI FR GR HR IT LT LU LV PL PT SI SK UK Partial ban: BE DK HU NL No ban: BG DE IE RO SE	Full ban: AT CY CZ ES FI FR GR HR IE IT LT LU PL PT RO SI SK UK Partial ban: BE DK HU LV NL SE No ban: BG DE
	Corporate promotion and other public relations tactics	Full ban: AT BE CY CZ ES FI FR GR HR HU IE IT LT LU LV NL PT SI SK UK Partial ban: none No ban: DE PL RO SE	Full ban: AT BE CY CZ ES FI FR GR HR HU IT LT LU LV NL PT SI SK UK Partial ban: IE No ban: DE PL RO SE	Full ban: AT BE CY CZ ES FI FR GR HR HU IE IT LT LU NL PT SI SK UK Partial ban: LV No ban: DE PL RO SE

Source: ICF analysis of responses to the country written questionnaire (2021). Note: the information is based on self-reported data from 27 countries. For each type of advertising channel and for each country, a score of "1" was awarded for a "full ban", a score "0.5" was awarded for a "partial ban", and no score was awarded in case of a "no ban" or "not applicable". An average score was then computed for each type of advertising, promotion and sponsorship activities (ranging from 0 to 27). "Very low level of coverage" (red cells) corresponds to scores between 0-4, "Low level of coverage" (pink cells) to scores between 5-9, "Moderate level of coverage" (yellow cells) to scores between 10-17, "Good level of coverage" (light green cells) to scores between 18-22 and "Very good level of coverage" (dark green cells) corresponds to scores between 23-27.

There has also been generally high **compliance** with national rules on advertising, promotion and sponsorship, except for "products visible on display in shops, supermarkets and other retail outlets" and "internet, social media and mobile applications" (especially for e-cigarettes and heated tobacco products). It also seems that the level of compliance varies based on the product considered: while compliance is high for traditional products for smoking, it is less the case for heated tobacco products. A few concerns were raised including challenges caused by e-cigarettes and heated tobacco products entering the market, as the regulations may be out of date or have not caught up with the changing landscape related to these products. Table 2 provides more detailed information; note this table is based on self-reported data.

Table 2. Overview of the self-reported level of compliance with national rules on advertising, promotion and sponsorship (across all countries in scope)

		Traditional products for smoking	E-cigarettes	Heated tobacco products
Billboards, posters and other types of advertising outside the home	Advertising outside the home	High	High	Moderate
	Cinema advertising	High	High	High
Points of sale, sample, giveaways, promotional items and direct marketing	Free samples, free gifts and promotional items	High	High	Moderate
	Competitions or prize draws linked to tobacco and related products	High	High	High
	Products visible on display in shops, supermarkets and other retail outlets	Moderate	Moderate	Moderate
	Advertising at point of sale in shops, supermarkets and other retail outlets	High	Moderate	Moderate
Printed media	National or local print advertising for the general public	High	High	High
	International print advertising for the general public	High	High	High
	Print advertising in the trade press	High	High	High
TV and radio and product placement	National or local TV advertising	High	High	High
	International TV advertising	High	High	High
	National or local radio advertising	High	High	High
	International radio advertising	High	High	High
	Product placement	High	High	High
Internet, social media and mobile applications	Online sales by specialist retailers of tobacco and related products for smoking	High	Low	Low
	Wider sales channels	High	Low	Low
	Non-retailer websites, social media, appstore or apps downloaded from appstores for mobile devices	Moderate	Low	Low
Sponsorship, corporate responsibility, corporate promotion and other public relations tactics, brand stretching and imitation products	Sponsorship	Moderate	High	Moderate
	Corporate Social Responsibility actions by tobacco companies	Moderate	High	Moderate
	Brand stretching and imitation products	High	High	High
	Corporate promotion and other public relations tactics	High	High	Moderate

Source: ICF analysis of responses to the country written questionnaire (2021).

Note: the information is based on self-reported data from 27 countries. For each type of advertising, promotion and sponsorship activities and for each country, a score of "1" was awarded for "high compliance", a score "0.5" was awarded for "moderate compliance", and no

*score was awarded in case of "low compliance" or "not applicable". An average score was then computed for each type of advertising, promotion and sponsorship activities (in %), by using the following formula: (number of countries that reported "high compliance" + 0.5 * number of countries who reported "moderate compliance")/(number of countries that provided an answer i.e. not "NA"). "Low level of compliance" corresponds to scores between 70%, "Moderate level of compliance" to scores between 70-85% and "High level of compliance" to scores above 85%.*

Most Member States have provisions in place for a mechanism and/or infrastructure to ensure **monitoring and enforcement** within the national rules on advertising, promotion and sponsorship of tobacco and related products, whether that be through dedicated agencies, inspections, collaboration with civil society, or other procedures. Challenges with monitoring and enforcing rules have included a lack of financial and human resources, administrative burdens or delays, and instances of cross-border advertising, promotion and sponsorship, whereby it is difficult to conduct inspections and determine responsibility for regulation.

While stakeholders from the industry indicated that rules on advertising, promotion and sponsorship have been very restrictive, other stakeholders and some literature have contradicted these claims.

It seems that Member State rules on advertising, promotion, and sponsorship have been strictly **enforced**, both those national rules that are the transposition of EU law, and also those that fall outside of harmonised EU legislation. However, there is some disagreement about the extent of cross-border advertising of tobacco and related products, and the degree to which advertising restrictions are enforced. It seems (based on self-reported interview information gathered as part of this study) that rather than re-allocating budgets to different advertising, promotion and sponsorship avenues, the gradual banning of various advertising, promotion and sponsorship activities over the years has led to expenditures by tobacco companies being cut significantly.

Consulted stakeholders from the tobacco industry reported that they focus their advertising, promotion, and sponsorship activities on adult consumers. However, there is evidence from interviews with civil society organisations suggest that much of the advertising, promotion, and sponsorship strategy of the tobacco and related product industry specifically targets **young people**. The literature suggests that such advertising focuses on “psychological needs” such as popularity, peer acceptance, and positive self-image. Many TV shows popular among young people depict smoking. There have also been concerns about the use of social media influencers to promote tobacco and related products, as young people are active users of social media. Finally, this study found there have been some sponsored events favoured by young people that advertise or distribute tobacco and related products.

Variables including gender, education, current use of tobacco and related products along with age were all associated with noticing advertisements and promotions in analyses conducted for the present study. The citizens’ survey indicated that male gender, high education and the current use of tobacco and related products were associated with a modest increase in the likelihood of noticing advertisements and promotions, controlling for other factors. This finding is unexpected, as previous research in Europe has not identified a strong relationship between education level and exposure to these advertisements and promotions. There was little variation in exposure to print media that can be explained by country, gender, age, education and the use of tobacco and related products, as compared to other categories. Exposure through social media, sponsorships and corporate social responsibility activities seemed to be more strongly associated with age than other factors included in the analysis, while exposure through online retailers, advertising outside the home and retailers outside the home seemed to be more strongly associated with country of residence than other factors. Latent class analysis suggests that people recall promotion and advertising of tobacco and related products from different groups of promotion channels. Only about a quarter reported very low levels of recalling advertising and promotion of tobacco and related products across all channels. In contrast, 43% reported high levels of noticing advertisements and promotions across a wide range of channels. Age was most strongly associated with the pattern of advertising and promotion channels that participants recalled observing; participants aged under 35 were much more likely to have noticed advertisements and promotions across all channels.

The observational research conducted for the present study indicated that current use of tobacco or related products and country both influenced the appeal of advertisements and interest in trying products. Young people were seen as the target of much of the ads, although current use of products was more of a predictor of appeal than age.

Participants who **did not use** tobacco or related products were consistently less likely to find products appealing, want to try them, think the products were depicted as having health benefits, or consider the presented company as socially or environmentally responsible. There was substantial **variation between countries** regarding the appeal of products to participants and their interest in trying them. This highlights the importance of local context when considering the impact of the promotion of tobacco and related products.

Mixed trends were found through this study related to **age**: current use of tobacco and related products was much more strongly associated with finding advertised products appealing than the age of the person viewing the advertisement. However, there was some evidence that older participants (aged 36 and over) were less likely to express interest, and they were also slightly less likely to view some examples as presenting the company as environmentally or socially responsible. The age group most seen to be targeted by the presented example ads were those aged 25-39 years. The two main factors that influenced respondent perceptions about the target audience for the examples were the age of the individuals shown (where people were depicted) and the items used.

There are some concluding lessons and recommendations on advertising, promotion, and sponsorship, to do with gaps in the regulatory framework, implementation / application challenges, and compliance challenges.

The current provisions on advertising, promotion and sponsorship contained in EU rules are limited in that they do not unambiguously cover all emerging products, including heated tobacco products and their devices. Many countries and study stakeholders recommended revising these provisions so that all tobacco and related products are clearly within their scope.

In addition, study stakeholders recommended updating EU rules to more clearly include and cover social media advertising. They also said that there should be a broader definition of advertising, which includes the behaviour of smoking (to prevent visuals of people smoking in social media posts, articles, or apps).

The study also highlighted several challenges in terms of monitoring and enforcing rules on advertising, promotion, and sponsorship. For instance, the study showed that bans should be accompanied by an efficient enforcement mechanism in order to be useful. Other suggestions made by study stakeholders included creating an EU-level online compliance tool (for example, a trusted flagging system whereby civil society could flag non-compliance online), and having mandatory reporting of tobacco industry promotional expenditures, as there is in Canada and in the US.

Greater cooperation is also needed to improve the enforcement system. This could be done for example between Member States (including exchange of best practices, discussion on challenges faced and steps taken to overcome them). However, many other parties have a role to play in enforcing rules, and collaboration between Member States and other relevant stakeholders would be very beneficial (for example, civil society organisations, global initiatives - such as Stopping Tobacco Organizations and Products - citizens and audio-visual services regulators).

Work Stream 2 on smoke-free environments

There seems to be a high level of implementation of the Council Recommendation, with a majority of countries implementing it in full. However, some have only implemented it partially, with specific environments and product types posing challenges.

Key gaps in implementation identified in this study are the continuing existence of designated smoking areas (usually smoking rooms), and allowing smoking in certain semi-open environments (e.g. terraces, bus shelters and open-air railway stations²). Furthermore, there have been difficulties with the definition of 'indoor public places'³, especially with semi-open terraces. The main reported issues with implementing the Recommendation have been the opposition of the hospitality sector to smoke-free measures and the difficulty to impose 100% smoke-free environments without allowing for designated smoking areas.

In terms of **national implementation**, the level of coverage varies greatly based on the type of smoke-free environments considered, for example, while there is very good level of coverage in educational facilities, the level of coverage is very low in outdoor public places and private areas. The study also found that the level of coverage varies based on the product considered: while implementation is good for traditional products for smoking, it is less the case for heated tobacco products and e-cigarettes. Overall, the number of EU Member States completely banning the use of tobacco products for smoking (instead of having only partial bans) significantly increased since the 2013 report on the implementation of the Council Recommendation of 30 November 2009 on Smoke-free Environments, especially in indoor workplaces, enclosed public spaces, prisons and hotels. Table 3 provides more detailed information.

² The Annex to the 2009 Council Recommendation on smoke-free environments provides the following definition of the term 'indoor': "It is recommended that 'indoor' (or enclosed) areas be defined to include any space covered by a roof or enclosed by one or more walls or sides, regardless of the type of material used for the roof, wall or sides, and regardless of whether the structure is permanent or temporary."

³ The Annex to the 2009 Council Recommendation on smoke-free environments provides the following definition of the term 'indoor': "It is recommended that 'indoor' (or enclosed) areas be defined to include any space covered by a roof or enclosed by one or more walls or sides, regardless of the type of material used for the roof, wall or sides, and regardless of whether the structure is permanent or temporary."

Table 3. Overview of the **self-reported** level of coverage of national smoke-free rules (across all countries in scope)

		Traditional products for smoking	E-cigarettes	Heated tobacco products
General workplaces	Indoor workplaces	Full ban: BG CY EE ES GR IE LU NL NO PT SI SK UK Partial ban: AT BE CZ DE DK FI FR HR HU IS IT LI LT LV PL RO SE No ban: none	Full ban: CY EE GR LU NL NO PT SI SK Partial ban: AT BE CZ DE DK ES FI FR HR HU IS IT LT LV PL SE No ban: BG IE LI RO UK	Full ban: CY EE ES GR IE LU NL NO PT SI SK Partial ban: AT BE CZ DK FI FR HR HU IS LT LV PL SE No ban: BG DE IT LI RO UK
	Outdoor workplaces	Full ban: none Partial ban: AT BG CZ DE EE ES HR IS IT LI LU LV SK UK No ban: BE CY DK FI FR GR HU IE LT NL NO PL PT RO SE SI	Full ban: none Partial ban: AT CZ EE ES HR IS LU LV SK No ban: BE BG CY DE DK FI FR GR HU IE IT LI LT NL NO PL PT RO SE SI UK	Full ban: none Partial ban: AT CZ EE ES HR IS LU LV SK No ban: BE BG CY DE DK FI FR GR HU IE IT LI LT NL NO PL PT RO SE SI UK
Enclosed public spaces (e.g. town hall, public library)		Full ban: BG CY EE ES GR HR HU IE IS LI LU LV NL NO PT SI SK UK Partial ban: AT BE CZ DE DK FI FR IT LT PL RO SE No ban: none	Full ban: CY EE ES GR HR HU IS LU LV NL NO PT SI SK Partial ban: AT BE CZ DE DK FI FR IT LT PL SE No ban: BG IE LI RO UK	Full ban: CY EE ES GR HR HU IE IS LU LV NL NO PT SI SK Partial ban: AT BE CZ DE DK FI FR IT LT PL SE No ban: BG LI RO UK
Health care facilities	Indoors	Full ban: BG CY EE ES FR GR LT LU NL NO PT SI SK UK Partial ban: AT BE CZ DE DK FI HR HU IE IS IT LI LV PL RO SE No ban: none	Full ban: CY EE ES GR IS LT LU NL NO PT SI SK Partial ban: AT BE CZ DE DK FI FR HR HU IS IT LV PL SE No ban: BG IE LI RO UK	Full ban: CY EE ES FR GR LT LU NL NO PT SI SK Partial ban: AT BE CZ DE DK FI HR HU IE IS IT LV PL SE No ban: BG LI RO UK
	Outdoors (e.g. outside, but on facilities' grounds)	Full ban: EE ES IT LT PL Partial ban: AT CY CZ DE HR HU IS LU LV NO RO SE SK No ban: BE BG FI FR GR IE NL PT SI UK	Full ban: EE ES IS LT PL Partial ban: AT CY CZ HR HU LU LV NO SE SK No ban: BE BG DE FI FR GR IE IT LI NL PT RO SI UK	Full ban: EE ES LT LU PL Partial ban: AT CY CZ DE HR HU IS LV NO SE SK No ban: BE BG FI FR GR IE IT LI NL PT RO SI UK
Residential care facilities		Full ban: BG CY GR HR LT LU NL PT UK Partial ban: AT BE CZ DE DK EE ES FI FR HU IE IS IT LI LV NO PL RO SE SI SK No ban: none	Full ban: CY GR HR LT LU NL PT Partial ban: AT BE CZ DE DK EE ES FI FR HU IS IT LV NO PL SE SI SK No ban: BG IE LI RO UK	Full ban: CY GR HR LT LU NL PT Partial ban: AT BE CZ DE DK EE ES FI FR HU IE IS IT LV NO PL SE SI SK No ban: BG LI RO UK

		Traditional products for smoking	E-cigarettes	Heated tobacco products
Educational facilities	Schools (e.g. primary and secondary)	Full ban: AT BE BG CY CZ DE DK EE ES FI FR GR HR HU IE IS LI LT LU LV NL NO PL PT SI SK UK Partial ban: IT RO SE No ban: none	Full ban: AT BE CY CZ DK EE ES FI FR GR HR HU IS LT LU LV NL NO PL PT SI SK Partial ban: DE IT SE No ban: BG IE LI RO UK	Full ban: AT BE CY CZ DE DK EE ES FI FR GR HR HU IE IS LT LU LV NL NO PL PT SI SK Partial ban: IT SE No ban: BG LI RO UK
	Adult learning premises (e.g. universities and vocational learning centres)	Full ban: AT BE BG CY CZ DE EE ES GR HR HU IE IS LI LT LU LV NL NO PL PT SE SI SK UK Partial ban: DK FI FR IT RO No ban: none	Full ban: AT BE CY CZ EE ES GR HR HU IS LT LU LV NL NO PL PT SE SI SK Partial ban: DE DK FI FR IT No ban: BG IE LI RO UK	Full ban: AT BE CY CZ EE ES GR HR HU IE IS LT LU LV NL NO PL PT SI SK Partial ban: DE DK FI FR IT SE No ban: BG LI RO UK
Public transports		Full ban: AT BE BG CY DE EE GR HR HU IE IS IT LI LU NL NO PL PT SI SK UK Partial ban: CZ DK ES FI FR LT LV RO SE No ban: none	Full ban: AT BE CY DE EE GR HR HU IS IT LU NL NO PL PT RO SI SK Partial ban: CZ DK ES FI FR LT LV SE No ban: IE UK	Full ban: AT BE CY DE EE GR HR HU IE IS IT LU NL NO PL PT SI SK Partial ban: CZ DK ES FI FR LT LV SE No ban: LI RO UK
Prisons		Full ban: BG CY EE GR LU NL UK Partial ban: AT BE CZ DE DK ES FI FR HR HU IS IT LI LT LV NO PL PT RO SI SK No ban: IE SE	Full ban: CY EE GR LU NL Partial ban: AT BE CZ DE DK ES FI FR HR HU IT LT LV NO PL PT SI SK No ban: IE IS LI RO SE UK	Full ban: CY EE GR LU NL Partial ban: AT BE CZ DE DK ES FI FR HR HU IS IT LT LV NO PL PT SI SK No ban: IE LI RO SE UK
Hotels and accommodation	Hotels	Full ban: BG GR LU NL UK Partial ban: AT BE CY CZ DE DK EE ES FI FR HR HU IE IS IT LT LV NO PL PT RO SE SI SK No ban: LI	Full ban: GR LU NL Partial ban: AT BE CY CZ DE DK EE FI FR HR HU IS IT LT LV NO PL PT SE SI SK No ban: BG ES IE LI RO UK	Full ban: GR LU NL Partial ban: AT BE CY CZ DE DK EE ES FI FR HR HU IE IS IT LT LV NO PL PT SE SI SK No ban: BG LI RO UK
	Private home rentals	Full ban: LU Partial ban: CY DE ES FI HR HU LT PT SI SK No ban: AT BE BG CZ DK EE FR GR IE IS IT LI LV NL NO PL RO SE UK	Full ban: LU Partial ban: CY DE FI HR HU LT PT SI SK No ban: AT BE BG CZ DK EE ES FR GR IE IS IT LI LV NL NO PL RO SE UK	Full ban: LU Partial ban: CY DE ES FI HR HU LT PT SI SK No ban: AT BE BG CZ DK EE FR GR IE IS IT LI LV NL NO PL RO SE UK
Eating and drinking establishments	Restaurants and eating establishments, indoors	Full ban: AT BG CY ES GR HU IE IS LU LV NL NO SE SI SK UK Partial ban: BE CZ DE DK EE FI FR HR IT LI LT PL PT RO No ban: none	Full ban: AT CY DE GR HU LU LV NL NO SE SI Partial ban: BE DK EE FI FR HR LT PL PT SK No ban: BG CZ ES IE IS IT LI RO UK	Full ban: AT CY ES FI GR HU IE LU LV NL NO SE SI SK Partial ban: BE DE DK EE FR HR IS PL PT No ban: BG CZ IT LI LT RO UK

		Traditional products for smoking	E-cigarettes	Heated tobacco products
	Bars and drinking establishments, indoors	Full ban: AT BG CY ES GR HU IE IS LU LV NL NO SE SI UK Partial ban: BE CZ DE DK EE FI FR HR IT LI LT PL PT RO SK No ban: none	Full ban: AT CY DE GR HU LU LV NL NO SE SI Partial ban: BE DK EE FI FR HR LT PL PT SK No ban: BG CZ ES IE IS IT LI RO UK	Full ban: AT CY ES FI GR HU IE LU LV NL NO SE SI Partial ban: BE DE DK EE FR HR IS PL PT SK No ban: BG CZ IT LI LT RO UK
	Restaurants and eating establishments, outdoors	Full ban: LU SE Partial ban: ES GR HU IE IS IT LV RO SI SK UK No ban: AT BE BG CY CZ DE DK EE FI FR HR LI LT NL NO PL PT	Full ban: LU SE Partial ban: GR HU LV SI SK No ban: AT BE BG CY CZ DE DK EE ES FI FR HR IE IS IT LI LT NL NO PL PT RO UK	Full ban: LU SE Partial ban: ES GR HU IS LV SI SK No ban: AT BE BG CY CZ DE DK EE FI FR HR IE IT LI LT NL NO PL PT RO UK
	Bars and drinking establishments, outdoors	Full ban: SE Partial ban: ES GR HU IE IS IT LU LV RO SI SK UK No ban: AT BE BG CY CZ DE DK EE FI FR HR LI LT NL NO PL PT	Full ban: LU SE Partial ban: GR HU LV SI SK No ban: AT BE BG CY CZ DE DK EE ES FI FR HR IE IS IT LI LT NL NO PL PT RO UK	Full ban: LU SE Partial ban: ES GR HU IS LV SI SK No ban: AT BE BG CY CZ DE DK EE FI FR HR IE IT LI LT NL NO PL PT RO UK
Outdoor public places	Playgrounds or other spaces frequented by children and young people	Full ban: BG CY CZ EE ES FR GR HU IS LI LU LV PL PT SE SK Partial ban: DE IT RO SI No ban: AT BE DK FI HR IE LT NL NO UK	Full ban: CY CZ EE ES GR HU IS LU LV PL PT SE SK Partial ban: DE SI No ban: AT BE BG DK FI FR HR IE IT LI LT NL NO RO UK	Full ban: CY CZ EE ES FR GR HU IS LV PL PT SE SK Partial ban: DE SI No ban: AT BE BG DK FI HR IE IT LI LT NL NO RO UK
	Public parks	Full ban: GR LU Partial ban: IS IT LV PL RO SK No ban: AT BE BG CY CZ DE DK EE ES FI FR HR HU IE LI LT NL NO PT SE SI UK	Full ban: GR LU Partial ban: LV PL SK No ban: AT BE BG CY CZ DE DK EE ES FI FR HR HU IE IS IT LI LT NL NO PT RO SE SI UK	Full ban: ES GR LU Partial ban: LV PL SK No ban: AT BE BG CY CZ DE DK EE FI FR HR HU IE IS IT LI LT NL NO PT RO SE SI UK
	Public beaches	Full ban: LU Partial ban: HU IT LV PL SK No ban: AT BE BG CY DE DK EE ES FI FR GR HR IE IS IT LI LT NL NO PT RO SE SI UK	Full ban: LU Partial ban: HU LV PL SK No ban: AT BE BG CY DE DK EE ES FI FR GR HR IE IS IT LI LT NL NO PT RO SE SI UK	Full ban: LU Partial ban: HU LV PL SK No ban: AT BE BG CY DE DK EE ES FI FR GR HR IE IS IT LI LT NL NO PT RO SE SI UK
Private areas	Cars	Full ban: FR LU Partial ban: AT BE FI GR IE IT LT SI UK	Full ban: LU Partial ban: AT BE FI GR LT SI	Full ban: FR LU Partial ban: AT BE FI GR IE LT SI

		Traditional products for smoking	E-cigarettes	Heated tobacco products
		No ban: BG CY CZ DE DK EE ES HR HU IS LI LV NL NO PL PT RO SE SK	No ban: BG CY CZ DE DK EE ES FR HR HU IE IS IT LI LV NL NO PL PT RO SE SK UK	No ban: BG CY CZ DE DK EE ES HR HU IS IT LI LV NL NO PL PT RO SE SK UK
	Homes	Full ban: LU Partial ban: FI LT RO No ban: AT BE BG CY CZ DE DK EE ES FR GR HR HU IE IS IT LI LV NL NO PL PT SE SI SK UK	Full ban: LU Partial ban: LT No ban: AT BE BG CY CZ DE DK EE ES FI FR GR HR HU IE IS IT LI LV NL NO PL PT RO SE SI SK UK	Full ban: LU Partial ban: FI LT No ban: AT BE BG CY CZ DE DK EE ES FR GR HR HU IE IS IT LI LV NL NO PL PT RO SE SI SK UK

Source: ICF analysis of responses to the country written questionnaire (2021).

Note: the information is based on self-reported data from 30 countries. For each type of environments and for each country, a score of "1" was awarded for a "full ban", a score "0.5" was awarded for a "partial ban", and no score was awarded in case of a "no ban" or "not applicable". An average score was then computed for each type of environments (ranging from 0 to 30). "Very low level of coverage" (red cells) corresponds to scores between 0-4, "Low level of coverage" (pink cells) to scores between 5-9, "Moderate level of coverage" (yellow cells) to scores between 10-20, "Good level of coverage" (light green cells) to scores between 21-24 and "Very good level of coverage" (dark green cells) corresponds to scores between 25-30.

The environments with the highest rates of bans on using **e-cigarettes and heated tobacco products** were educational facilities (e.g. schools and adult learning premises); public transport; and enclosed public spaces. The environments that had the least bans on use of e-cigarettes and heated tobacco products were outdoor workplaces, private homes, public parks and public beaches. In general, environments that were not highly regulated for tobacco products for smoking did not have many rules for heated tobacco products and e-cigarettes. However, there were a few cases whereby rules seemed to be proportionally more lenient for e-cigarettes and heated tobacco products than for tobacco products for smoking, namely, outdoor workplaces, drinking and eating establishments (outdoors), and private homes.

Overall, there have been good levels of compliance with national rules on smoke-free environments, and monitoring and enforcement has also been largely possible. There have been, however, a few challenges, including differences in the ease of enforcement depending on the environment type.

The concerns raised in relation to **compliance** included moderate or low compliance in some environments, such as bars and restaurants, workplaces, residential care facilities, prisons and outdoor educational and healthcare facilities. Evidence also suggests that in some environments, compliance is lower for e-cigarettes and/or heated tobacco products than for tobacco products for smoking, where restrictions are in place. Enforcing compliance may also be harder when national legislations include provisions for exceptions or when there is ambiguity in the practical application of definitions. It appears that overall, the level of compliance varies based on the environments considered. For example, while there is a high level of compliance with rules in indoor workplaces for all types of products (i.e. tobacco products for smoking, e-cigarettes and heated tobacco products), in outdoor workplaces however, the level of compliance is only moderate for tobacco products for smoking, and low for e-cigarettes and heated tobacco products. Table 4 provides more detailed information.

Table 4. Overview of the self-reported level of compliance with national smoke-free rules (across all countries in scope)

		Traditional products for smoking	E-cigarettes	Heated tobacco products
General workplaces	Indoor workplaces	High	High	High
	Outdoor workplaces	Moderate	Low	Low
Enclosed public spaces (e.g. town hall, public library)		High	High	High
Health care facilities	Indoors	High	High	High
	Outdoors (e.g. outside, but on facilities' grounds)	Moderate	Low	Low
Residential care facilities		High	High	High
Educational facilities	Schools (e.g. primary and secondary)	High	High	High
	Adult learning premises (e.g. universities and vocational learning centres)	High	High	High
Public transports		High	High	High
Prisons		Moderate	High	High
Hotels and accommodation	Hotels	High	High	High
	Private home rentals	High	High	High
Eating and drinking establishments	Restaurants and eating establishments, indoors	High	High	High
	Bars and drinking establishments, indoors	Moderate	High	High
	Eating and drinking establishments, outdoors (e.g. terraces, garden seating)	High	High	High
Outdoor public places	Playgrounds or other spaces frequented by children and young people	Moderate	High	High
	Public parks	Low	Moderate	Moderate
	Public beaches	Moderate	High	High
Private areas	Cars	Moderate	Moderate	Moderate
	Homes	Moderate	Moderate	Moderate

Source: ICF analysis of responses to the country written questionnaire (2021).

Note: the information is based on self-reported data from 30 countries. For each type of environments and for each country, a score of "1" was awarded for "high compliance", a score "0.5" was awarded for "moderate compliance", and no score was awarded in case of "low compliance" or "not applicable". An average score was then computed for each type of environments (in %), by using the following formula: (number of countries who reported "high compliance" + 0.5 * number of countries who reported "moderate compliance")/(number of countries who provided an answer i.e. not "NA"). "Low level of compliance" corresponds to scores between 70%, "Moderate level of compliance" to scores between 70-85% and "High level of compliance" to scores above 85%.

A large majority of countries reported provisions for a mechanism and/or infrastructure to ensure **monitoring and enforcement** within the national legislation on smoke-free environments. Responsibility for compliance was most commonly placed through a basic responsibility for the owner, manager or other person in charge to supervise the observance of the law, followed by a legal responsibility to post clear signs at entrances and other appropriate locations indicating that smoking is not permitted. The third most reported type of responsibility was a legal responsibility to taking reasonable specified steps to discourage individuals from smoking on the premises. Finally, and less commonly reported, was the legal responsibility to remove any ashtrays from the premises and to have ashtrays outside the entry of premises. The approaches taken by different countries to monitoring and enforcing rules range from dedicated agencies to monitor and enforce requirements, inspections, complaint systems, and support from civil society. The most commonly used **punitive measure** for violations of rules by a person in charge of the smoke-free environments was fines, although the suspension or cancellation of business license is used in several countries in restaurant and bar settings. Only Belgium reported having provisions in place to imprison offenders (person in charge of the smoke free environments). Fines are also the most commonly used **punitive measure for smokers** who violate the rules but are distributed by fewer countries compared to the number who fine owners, managers or others in charge. A few countries mentioned having provisions in place to imprison offenders (smokers).

The main **challenge with monitoring and enforcing** rules has been a lack of financial and human resources. However, other challenges were mentioned such as: difficulty accessing places where breaches are thought to have occurred (for instance, due to health and safety legislation); and high administrative burdens (caused in part by the interpretation of some provisions).

The Eurobarometer and citizens' survey carried out as part of this study indicated that exposure to tobacco smoke, e-cigarettes and heated tobacco products is most common in certain outdoor environments. Private cars and private homes seemed to be the most common indoor places for using tobacco products for smoking, but in general, exposure to tobacco smoke in indoor hospitality settings is limited. Exposure to tobacco smoke in outdoor hospitality settings is much more prevalent, and common outdoor tobacco use seems to occur in workplaces, public parks, and bars. Exposure to e-cigarettes and heated tobacco products use was not reported as frequently, but the top locations were the same: workplaces, public parks, and bars. However, there was substantial variation between countries in terms of place and frequency of observing use.

Since 2013, countries have continued to increase the level of protection for children and adolescents, as stated in the Recommendation. For example, protection measures have been reinforced in educational establishments (the majority of EU Member States have now banned smoking altogether in educational establishments) and some of them have extended this ban to other places where children might be present such as sport venues, playgrounds and open stadiums. Another positive development is that some countries have introduced a smoking ban in private cars when minors are present. Although there is no comprehensive legislation at the EU level to protect children from second-hand smoke exposure in private cars, there is a large public support (which has been increasing in the last few years) for smoke-free cars' legislation. Furthermore, there has been a shift from reports of households having partial restrictions to reports of completely smoke-free homes. There were some concerns raised about the comprehensiveness of provisions to protect children and adolescents, including that outdoor areas (for example in schools or universities, playgrounds, parks and areas where children are present) are not covered by the Council Recommendation, and there is a gap in the legislation of exposure to smoking in multi-unit housing. Finally, one of the main challenges in protecting children and adolescents is the fact that smoke-free measures are difficult to monitor in private places (for example homes and cars).

Almost all Member States have comprehensive and integrated guidelines, media campaigns to promote smoking cessation and telephone quit lines. In addition, some countries have gone beyond these measures and introduced smoking cessation programmes in different settings, such as dentists, pharmacists, or support given through online channels. Half of the countries researched as part of this study have smoking cessation programmes targeted at specific population groups, such as young people/adolescents (and in some cases their parents), heavy smokers, pregnant women/new mothers, citizens with mental illness and substance use problems and other forms of vulnerabilities (i.e. homelessness), and groups of low socio-economic status. Half of the countries also have low-cost schemes or reimbursement schemes for Nicotine Replacement Therapy. There have been a few challenges with cessation schemes, such as differences between countries in terms of treatment possibilities (e.g. access and reimbursement).

Most countries have multi-sectoral tobacco control policy programmes since 2013. For example, Portugal's Tobacco Prevention programme includes cooperating with other sectors such as education, fiscal and tax authorities. However, as in the 2013 Report on the implementation of the Council Recommendation of 30 November 2009 on Smoke-free Environments, most Member States did not report specifically on the multi-sectorial aspect of tobacco control.

There are documented positive social, economic, and environmental impacts of smoke-free environments.

The literature review undertaken as part of this study confirmed that rules on smoke-free environments have **positive health impacts**. Worldwide, 5.4 million smoking-attributable deaths would be averted by comprehensive smoke-free laws, according to a recent study⁴. In addition, there is evidence that morbidity and other health indicators (such as heart attacks in the general population and improvements in respiratory health) have improved due to rules of smoke-free environments. The evidence is less clear for smoke-free policies for e-cigarettes or heated tobacco products, although studies have demonstrated that a comprehensive, full smoking ban is more effective when compared to partial smoking bans.

In terms of **social impacts**, there is some evidence that smoke-free legislation can drastically reduce smoking where the legislation applies, and further some studies also showed that smoke-free legislation has the potential to reduce smoking even in places where the legislation does not apply. Results on the impacts of smoke-free rules on socio-economic inequalities are mixed, with some sources indicating that inequalities are reduced but others not confirming this. Finally, the majority of countries reported that implementing smoke-free rules increases the level of support for smoke-free legislation.

Whilst the impact on gross domestic product is difficult to assess, some positive **economic impacts** of smoke-free measures were reported for government and society. Macro-economically, a few countries mentioned a reduction in annual medical costs due to reduced second-hand smoke exposure among staff, and some countries also reported reduced revenues from tobacco taxes due to reduced smoking. A few countries reported an increase in workers' productivity related to smoking breaks (a micro-economic impact). There seems to be no substantial economic gains or losses associated with smoke-free policies in the hospitality sector, although evidence suggests that prohibiting indoor smoking had a positive impact on the health of employees, and in turn on their productivity and presenteeism. There were some reported effects in other industries: a few countries experienced job losses within the tobacco and related products industry,

⁴ Levy, D.T., Yuan, Z., Luo, Y. and Mays, D., (2018). Seven years of progress in tobacco control: an evaluation of the effect of nations meeting the highest level MPOWER measures between 2007 and 2014. *Tobacco control*, 27(1), pp.50-57.

and a few countries experienced increased governmental costs for implementing and enforcing national smoke-free measures.

Finally, in terms of **environmental impacts**, there is evidence that smoke-free rules improve air quality inside the venues where smoking is banned: several studies demonstrated that indoor pollution and concentrations of particles significantly decreases after the introduction of such rules.

There are a number of concluding lessons and recommendations on smoke-free environments, related to the identified gaps in the current regulatory framework, implementation and application challenges, compliance challenges, and enforcement challenges.

The 2009 Council Recommendation is limited in that it only covers 'tobacco smoke' and does not include vapour from e-cigarettes and the emissions of heated tobacco products. Many countries and study stakeholders recommended extending the current Council Recommendation to other products such as e-cigarettes and heated tobacco products⁵. Results from the desk research and the literature review support this recommendation. Extending rules more consistently would have the following impacts: consumers would find rules much less confusing, (as they would not have to keep track of varied rules and would therefore increase compliance); the tobacco industry would be less able to exploit gaps; rules would be easier to enforce; and e-cigarettes and heated tobacco products would be perceived as equally harmful as traditional tobacco products for smoking.

While the 2009 Council Recommendation refers to 'indoor workplaces, indoor public places, public transport and, as appropriate, other public places', it does not explicitly include some types of environments, and in particular specific outdoor public spaces (e.g. restaurant and bar terraces, public parks, beaches or the streets) or private areas (e.g. homes and cars). Extending bans to public parks and beaches could help smokers to stop associating smoking with pleasant venues or activities, and, in turn, would reduce their willingness to smoke. Regulating private areas such as private homes would probably not be feasible or appropriate in most countries. However, certain targeted bans could be enacted (e.g. in cars or multi-unit housing).

The study also highlighted several challenges in terms of monitoring and enforcing rules on smoke-free environments. For instance, the study showed that there is a need to increase financial and human resources available for such activities.

Greater cooperation between countries is also needed (including exchange of best practices, discussion on challenges faced and steps taken to overcome them). This could be done for example between national competent authorities in the EU via meetings of the expert groups (such as the Group of experts on tobacco policy), or at regional WHO workshops and conferences.

Finally, enforcement of rules should go hand in hand with strong communication and advocacy campaigns explaining the benefits of such rules: smoke-free rules cannot be accepted unless there is a strong public understanding of and support for them.

⁵ These are not explicitly covered under the 2009 Council Recommendation on smoke-free environments according to current rules.

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