

2020 - CORE QUESTIONNAIRE OF THE REPORTING INSTRUMENT OF WHO FCTC

A. ORIGIN OF THE REPORT

Name of contracting Party:

Germany

Information on national contact responsible for preparation of the report:

Title

Ms

Family name

Schroer

First name

Elke

Full name of institution

Federal Ministry of Health

Mailing address

Mailing address 1 Rochusstraße 1

Mailing address 2

Post code 53123

Post box

City Bonn

Country

Germany

E-mail

Elke.schroer@bmg.bund.de

Alternative email address

125@bmg.bund.de

Telephone number

+49228994412407

Fax number

Signature of government official submitting the report:

Title

Mr

Family name

Ifland

First name

Thomas

Full name of institution

Federal Ministry of Health

Mailing address

Mailing address 1	Rochusstraße 1
Mailing address 2	
Post code	53123
Post box	
City	Bonn

Country

Germany

E-mail

thomas.ifland@bmg.bund.de

Alternative email address

z23@bmg.bund.de

Telephone number
+490228994413311

Fax number

Web page
www.bundesgesundheitsministerium.de

Period of reporting:

	Month	Year
Start date	January (1)	2018 (19)
End date	2011 (12)	2019 (20)

B1. TOBACCO CONSUMPTION

Prevalence of tobacco use

Smoking prevalence in the adult population (all)

(Please provide prevalence data for total adult population, and identify the age considered, e.g. 15 years old and over, 18-64 years; see B112)

Current smokers

	Prevalence (%) (please include all smoking tobacco products in preva- lence data)	Average number of the most-con- sumed smoking tobacco product used per day
MALE	27.0	14.6
FEMALE	20.8	11.2
TOTAL (males and females)	23.8	13.0

Daily smokers

	Prevalence (%) (please include all smoking tobacco products in prevalence data)	Average number of the most-consumed smoking tobacco product used per day
MALE	20.7	17.2
FEMALE	16.2	13.8
TOTAL (males and females)	18.4	15.6

Occasional smokers

	Prevalence (%) (please include all smoking tobacco products in prevalence data)
MALE	6.3
FEMALE	4.6
TOTAL (males and females)	5.4

Former smokers

	Prevalence (%) (please include all smoking tobacco products in prevalence data)
MALE	35.0
FEMALE	26.6
TOTAL (males and females)	30.7

Never smokers

Prevalence (%)
(please include all smoking tobacco products in prevalence data)

MALE	38.0
FEMALE	52.6
TOTAL (males and females)	45.5

Please indicate the smoking tobacco products included in calculating prevalence for question B11:

In the GEDA2014/2015-EHIS questionnaire all participants who stated that they were current smokers answered the question "Do you smoke?" (answer categories: yes daily, yes occasionally, no, not any more, I have never smoked) are included for calculating the prevalence for question B11 regardless- the tobacco products- they consume.

Please indicate the age range to which the data used to answer question B11 refer:

	From	To
Age range	18	99

Please indicate the year of the data used to answer question B11:

2014

Please indicate the source of the data used to answer question B11:

"German Health Update" (GEDA Study) 2014/2015-EHIS Zeiher J, Kuntz B, Lange C (2017) Smoking among adults in Germany. Journal of Health Monitoring 2(2):57–63. DOI 10.17886/RKI-GBE-2017-043 Lange C, Finger JD, Allen J et al. (2017) Implementation of the European health interview survey (EHIS) into the German health update (GEDA). Archives of Public Health 75(1):40

Please provide the definitions of “current smoker”, “daily smoker”, “occasional smoker”, “former smoker” and “never smoker” used in this report.

Current smoker	current smokers: share of those respondents that answer "yes, daily" or "yes, occasionally" to the question "Do you smoke?"
Daily smoker	daily smokers: share of those respondents that answer "yes, daily" to the question "Do you smoke?"
Occasional smoker	occasional smokers: share of those respondents that answer "yes, occasionally" to the question "Do you smoke?"
Former smoker	former smokers: share of those respondents that answer "no, not any more" to the question "Do you smoke?"
Never smoker	never smoker: share of those respondents that answer "I have never smoked" to the question "Do you smoke?"

Please provide a brief explanation of the trend in smoking prevalence in the adult population in the past two years or since submission of your last report.

Decline of current smokers among men and women between 2012 and 2014/2015

Smoking prevalence in the adult population (by age groups)

(If data are available, please provide prevalence data by age group, and identify the age group considered, preferably by 10-year categories, e.g. 25-34, 35-44 years)

	Range - start age	Range - end age	Prevalence (%) (please include all smoking to- bacco products in prevalence data)
MALES - current smokers ¹	18	29	35
MALES - current smokers ¹	30	39	39
MALES - current smokers ¹	40	49	30
MALES - current smokers ¹	50	59	28
MALES - current smokers ¹	60	69	20
MALES - current smokers ¹	70	99	7
FEMALES - current smokers ¹	18	29	28
FEMALES - current smokers ¹	30	39	29
FEMALES - current smokers ¹	40	49	26
FEMALES - current smokers ¹	50	59	26
FEMALES - current smokers ¹	60	69	13
FEMALES - current smokers ¹	70	99	5
TOTAL (males and females) - current smokers ¹	18	29	32
TOTAL (males and females) - current smokers ¹	30	39	34

TOTAL (males and females) - current smokers ¹	40	49	28
TOTAL (males and females) - current smokers ¹	50	59	27
TOTAL (males and females) - current smokers ¹	60	69	16
TOTAL (males and females) - current smokers ¹	70	99	6

Please indicate the smoking tobacco products included in calculating prevalence for question B12:

In the GEDA 2014/2015-EHIS

questionnaire we asked adult participants regarding their current smoking behavior: „Do you smoke?“ (answer categories: ‘yes, daily’, ‘yes, occasionally’, ‘no, not any more’, ‘I have never smoked’). Subsequently, all participants who stated that they were current smokers are included for calculating the prevalence for question B11 regardless the tobacco products they consume; cigarette (including roll-your-own), cigars, cigarillos, pipe

Please indicate the year of the data used to answer question B12:

2015

Please indicate the source of the data used to answer question B12:

GEDA 2014/2015-EHIS Zeiher J, Kuntz B, Lange C (2017) Smoking among adults in Germany. Journal of Health Monitoring 2(2):57–63. DOI 10.17886/RKI-GBE-2017-043 Lange C, Finger JD, Allen J et al. (2017) Implementation of the European health interview survey (EHIS) into the German health update (GEDA). Archives of Public Health 75(1):40

Please provide a brief explanation of the trend in current smoking prevalence by age group in the past two years or since submission of your last report, if data are available.

Decline between 2012 and 2014/15 in all age groups.

Prevalence of smokeless tobacco use in the adult population (all)

(Please provide prevalence data for total adult population, and identify the age considered in B132, e.g. 15 years old and over, 18–64 years; see B132)

Males

Prevalence (%)

(please include all smokeless tobacco products in prevalence data)

Females

Prevalence (%)

(please include all smokeless tobacco products in prevalence data)

TOTAL (males and females)

Prevalence (%)

(please include all smokeless tobacco products in prevalence data)

Please indicate the smokeless tobacco products included in calculating prevalence for question B13:

Please indicate the age range to which the data used to answer question B13 refer:

From To

Please indicate the year of the data used to answer question B13:

Please indicate the source of the data used to answer question B13:

There is no data on the use of smokeless tobacco available in Germany. But smokeless tobacco (snuff, chewing tobacco) is very seldomly used in Germany.

Please provide the definitions of “current user”, “daily user”, “occasional user”, “former user” and “never user” (of smokeless tobacco products) used in this report in the space below.

Current user
Daily user
Occasional user
Former user
Never user

Please provide a brief explanation of the trend in smokeless tobacco use in the adult population in the past two years or since submission of your last report.

Prevalence of smokeless tobacco use in the adult population (current users) by age group (by age groups)

(If data are available, please provide prevalence data by age group, and identify the age group considered, preferably by 10-year categories, e.g. 25-34, 35-44 years)

Range - start age	Range - end age	Prevalence (%) (please include all smoking tobacco products in prevalence data)
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Please indicate the smokeless tobacco products included in the answer to question B14:

Please indicate the year of the data used to answer question B14:

Please indicate the source of the data used to answer question B14:

There is no data on the use of smokeless tobacco available in Germany. But smokeless tobacco (snuff, chewing tobacco) is very seldomly used in Germany.

Please provide a brief explanation of the trend in current use of smokeless tobacco by adult age groups in the past two years or since submission of your last report.

Tobacco use by ethnic group(s)

(please include all smoking or smokeless tobacco products in prevalence data)

Ethnic group(s)	MALES - Prevalence (%)	FEMALES - Prevalence (%)	TOTAL (males and females) - Prevalence (%)
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Please indicate the tobacco products included in the answer to question B15:

Please indicate the age range to which the data used to answer question B15 refer:

From To

Please indicate the year of the data used to answer question B15:

Please indicate the source of the data used to answer question B15:

Tobacco use by young persons

(please include all smoking or smokeless tobacco products in prevalence data)

	Age range	SMOKING TO-BACCO - Prevalence (%)	SMOKELESS TO-BACCO - Prevalence (%)	WATER PIPE - Prevalence (%)
BOYS - Current users ⁴	12-17	9.1		12.3
BOYS - Current users ⁴	18-25	35.5		25.3
GIRLS - Current users ⁴	12-17	8.3		7.9
GIRLS - Current users ⁴	18-25	28.1		15.7
TOTAL (boys and girls) - Current users ⁴	12-17	8.7		10.2
TOTAL (boys and girls) - Current users ⁴	18-25	32.0		20.7

Please indicate the tobacco products included in calculating prevalence for question B16:

Please indicate the year of the data used to answer question B16:

2015

Please indicate the source of the data used to answer question B16:

Orth B, Merkel C. Rauchen bei Jugendlichen und jungen Erwachsenen in Deutschland. Ergebnisse des Alkoholsurveys 2018 und Trends. BZgA-Forschungsbericht. Köln: Bundeszentrale für gesundheitliche Aufklärung; 2019

Please provide the definition of "current smoking/tobacco use" used to answer question B16 in the space below.

current smoking: share of those that says that they are currently smoking (daily or occasional) smokeless tobacco: there is no data available on the use of smokeless tobacco in youths. But the use of smokeless tobacco in Germany is very low in general. tobacco use: other tobacco (water pipe): share of those says that they have consumed water pipes in the last 30 days

Please provide a brief explanation of the trend in tobacco use by young persons in the past two years or since submission of your last report.

Smoking rates are steadily declining since 2001. The main reasons for this development are a number of tobacco tax increases in that period and restrictions in sale of tobacco products to minors and the smoking-ban in public places. Prevalence of water pipe consumptions is increasing among young adults since 2008.

Please attach the relevant documentation.

Use of novel and emerging tobacco and nicotine products

Age range	Heated tobacco products (HTPs) - Prevalence (%)	Electronic Nicotine Delivery Systems (ENDS) - Prevalence (%)	Electronic Non-Nicotine Delivery Systems (ENNDS) - Prevalence (%)	Other products - Prevalence (%)
ADULT POPULATION - Males	0.3 %	2.6 % EN(N) DS	see left	
ADULT POPULATION - Females	0.1 %	1.3 % EN(N) DS	see left	
ADULT POPULATION - Total (males and females)	0.2 %	1.9 % EN(N) DS	see left	
YOUNG PERSONS - Boys	0.1 %	6.7 % EN(N) DS	see left	5.2 % E-Shisha
YOUNG PERSONS - Girls	0.2 %	3.4 % EN(N) DS	see left	3.1 % E-Shisha
YOUNG PERSONS - Total (boys and girls)	0.1 %	5.1 % EN(N) DS	see left	4.2 % E-Shisha

B2-B9. HEALTH, SOCIAL AND ECONOMIC INDICATORS

Exposure to tobacco smoke

Do you have any data on exposure to tobacco smoke in your population?

Yes ✓

Please provide details in the space below (e.g. exposure by gender, at home, in the workplace, on public transport).

11.3 % of the non-smoking population (age 18+) are exposed to second hand tobacco smoke on a regular base. Rates were higher in males (14.7 %) than in females (8.3 %). Tobacco smoke exposure is highest in the age group 18-29 years. More men than women are exposed to tobacco smoke at the workplace. 40.0 % of the minor population (age up to 17) lives together with at least one parent that smokes, 9.1 % are exposed to second hand smoke at home.

Please indicate the year of the data used to answer question B21:

2015

Please indicate the source of the data used to answer question B21:

Data for adult population refers to the year 2014/2015 (GEDA 2014/2015-EHIS) Data for minor population refers to the year 2014-2017 (KiGGS 2)

Please attach the relevant documentation.

No comment

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No comment

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Tobacco-related mortality

Do you have information on tobacco-related mortality in your population?

Yes ✓

What is the estimated total number of deaths attributable to tobacco use in your population?

121087

If available, please provide any additional information on mortality attributable to tobacco use (e.g. lung cancer, cardiovascular diseases) in your jurisdiction.

121.087 tobacco related deaths (13,5 %

of all deaths) Men: 84.782 tobacco related deaths (19,7 % of all deaths)

Neoplasms: 51,9 % Cardiovascular diseases: 28,2% Respiratory diseases: 18,8 %

Woman: 36.305 tobacco related deaths (7,8 % of all deaths) Neoplasms: 40,5 %

Cardiovascular diseases:30,8 % Respiratory diseases: 27,5 %

Please indicate the year of the data used to answer question B32 and 33:

2013

Please indicate the source of the data used to answer questions B32 and B33:

refers to the year 2013 (data from German Microcensus 2013 and mortality statistics 2013)
Mons U, Kahnert S (2019) Recalculation of Tobacco-Attributable Mortality: National and Regional Data for Germany, Gesundheitswesen 81: 24-33; <https://www.thieme-connect.com/products/ejournals/abstract/10.1055/s-0042-123852> Gesundheitswesen Deutschland

Please submit a copy of the study you refer to:

Tobacco-related costs

Do you have information on the economic burden of tobacco use in your population, e.g. the overall cost of tobacco use imposed on your society?

Yes ✓

Please provide details (e.g. direct (health care-related) and indirect costs and, if possible, the method used to estimate these costs).

(annual) direct costs: 30.3 billion Euros (annual) indirect costs: 66.9 billion Euros (annual) total costs: 97.2 billion Euros Method: a bottom-up-approach was used to calculate the costs based on a subsample of members of a statutory health fund. Illness costs were compared between smoking and non-smoking members and extrapolated to the total population. Due to a change in calculation methods tobacco-related costs are now significantly higher than in former publications (which used a top-down approach)

Please indicate the year of the data used to answer question B42:

2015

Please indicate the source of the data used to answer question B42:

refers to 2018 Effertz, T. (2019) Die Kosten des Rauchens in Deutschland im Jahr 2018 - aktuelle Situation und langfristige Perspektive. Atemwegs- und Lungenkrankheiten, Jahrgang 45, Nr 7/2019: 307-314

Please submit a copy of the study you refer to:

Supply of tobacco and tobacco products

(with reference to Articles 6.2(b), 20.4(c), and 15.5)

Licit supply of tobacco products

	Product	Unit (e.g. pieces, tonnes)	Domestic production	Retail sales	Exports	Imports
Smoking tobacco products	cigarettes	billions of pieces	178.94		129.19	35.22
Smoking tobacco products	cigars/cigarillos	billions of pieces	2.58		1.59	1.95
Smoking tobacco products	smoking tobacco	tonnes	45842.62		8706.80	23657

Please provide information on the volumes of duty-free sales (e.g. product, unit, quantity), if available.

Please indicate the year of the data used to answer question B51 and 52:

2014

Please indicate the source of the data used to answer questions B51 and B52:

Year 2014 (Domestic production), Year 2014 (Export, Import), Source: Destatis, Federal Statistical Office

Please attach the relevant documentation.

Seizures of illicit tobacco products

(with reference to Article 15.5)

Seizures of illicit tobacco

	Year	Product	Unit (e.g. pieces, tonnes)	Quantity seized
Smoking tobacco products	2015	cigarettes	millions of pieces	75
Smoking tobacco products	2016	cigarettes	millions of pieces	127
Smoking tobacco products	2017	cigarettes	millions of pieces	77
Smoking tobacco products	2018	cigarettes	millions of pieces	62
Other tobacco products	2015	waterpipe-tobacco	tonnes	54
Other tobacco products	2016	waterpipe-tobacco	tonnes	30
Other tobacco products	2017	waterpipe-tobacco	tonnes	33
Other tobacco products	2018	waterpipe-tobacco	tonnes	44
Other tobacco products	2015	fine cut tobacco	tonnes	1
Other tobacco products	2016	fine cut tobacco	tonnes	16
Other tobacco products	2017	fine cut tobacco	tonnes	20
Other tobacco products	2018	fine cut tobacco	tonnes	2

Do you have any information on the percentage of illicit tobacco products on the national tobacco market?

No ✘

Please provide any further information on illicit tobacco products.

Please indicate the source of the data used to answer questions in section B6:
2019, German Federal Ministry of Finance

Please attach the relevant documentation.

No comment

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Tobacco-growing

Is there any tobacco-growing in your jurisdiction?

Yes ✓

Please provide information on the number of workers involved in tobacco-growing. If available, please provide this figure broken down by gender.

Approximately 1200

employees including approximately 1000 seasonal workers

Please provide, if available, the share of the value of tobacco leaf production in the national gross domestic product.

0,00051%

Please indicate the year of the data used to answer questions in section B7:

2018

Please indicate the source of the data used to answer questions in section B7:

Official statistics, Bundesverband Deutscher Tabakpflanzer

Please attach the relevant documentation.

No comment

File type

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Taxation of tobacco products

(with reference to Articles 6.2(a) and 6.3)

What proportion of the retail price of the most popular price category of tobacco product consists of taxes (e.g. sum of excise, sales and import duties (if applicable) and value added tax/goods and services tax (VAT/GST))?

69.92

How are the excise taxes levied (what types of taxes are levied)?

Specific tax only	No
Ad valorem tax only	No
Combination of specific and ad valorem taxes	Yes
More complex structure (please explain below)	

If available, please provide details on the rates of taxation for tobacco products at all levels of Government and be as specific as possible (specify the type of tax, e.g. VAT, sales, import duties)

	Product	Type of tax	Rate or amount	Base of tax ⁵
Smoking tobacco products	cigarettes	Ad valorem excise	21.69 %	Retail selling price
Smoking tobacco products	cigars/cigarillos	Ad valorem excise	1.47 %	Retail selling price
Smoking tobacco products	cigars/cigarillos	specific excise	1.4 Cent	piece
Smoking tobacco products	fine cut tobacco	Ad valorem excise	14.76 %	Retail selling price
Smoking tobacco products	fine cut tobacco	specific excise	48.49 €	kg
Smoking tobacco products	all tobacco products	VAT	15.97 %	Retail selling price
Smoking tobacco products	cigarettes	specific excise	9.82 Cent	piece
Other tobacco products	Pipe tobacco	Ad valorem excise	13.13 %	Retail selling price
Other tobacco products	Pipe tobacco	specific excise	15.66 €	kg

Please briefly describe the trends in taxation for tobacco products in the past two years or since submission of your last report in your jurisdiction.

Gradual increase of minimum tax-rates on cigarettes annually each 15th February of the years 2016, 2017, 2018 and 2019.

Do you earmark any percentage of your taxation income for funding any national plan or strategy on tobacco control in your jurisdiction?

No

Please indicate the year of the data used to answer questions B81 to B86:

2019

Please indicate the source of the data used to answer questions B81 to B86:

German Federal Ministry of Finance

Please attach the relevant documentation.

No comment

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Price of tobacco products

(with reference to Articles 6.2(a))

Domestic

Please provide the retail prices of the three most widely sold brands of domestic tobacco products at the most widely used point of sale in your capital city.

	Name of the most widely sold brands	Number of units or amount per package	Retail price	Currency
Smoking tobacco products	Marlboro	1 piece	0,3435	€
Smoking tobacco products	JPS	1 piece	0,3335	€
Smoking tobacco products	Pall Mall	1 piece	0,335	€

Imported

Please provide the retail prices of the three most widely sold brands of imported tobacco products at the most widely used point of sale in your capital city.

	Name of the most widely sold brands	Number of units or amount per package	Retail price	Currency
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Please indicate the year of the data used to answer question B91:

2019

Please indicate the source of the data used to answer question B91:

German Federal Ministry of Finance

Please briefly describe the trend in the prices of tobacco products in the past two years or since submission of your last report in your jurisdiction.

The weighted average price increased from 2018 to 2019 by 3.5%
(cigarettes) 4.6% (fine-cut tobacco) 194.8% (water pipe tobacco) 1.8%
(cigars/cigarillos).

Please attach the relevant documentation.

C1. GENERAL OBLIGATIONS

With reference to Article 5

Have you developed and implemented comprehensive multisectoral national tobacco control strategies, plans and programmes in accordance with the Convention?

Yes ✓

Have you established or reinforced and financed:

a focal point for tobacco control?	Yes
a tobacco control unit?	Yes
a national coordinating mechanism for tobacco control?	Yes

Please provide details (e.g. the nature of the national coordinating mechanism, the institution to which the focal point for tobacco control or the tobacco control unit belongs).

The tobacco control unit is part of the Ministry of Health. Three People are working part-time on tobacco control within the unit "Addiction and Drugs" of the Federal Ministry of health. Campaigns on Tobacco are run by the Federal Agency for Health Promotion. Several people are working on the campaign www.rauchfrei-info.de. The office of the National Drug Commissioner www.drogenbeauftragte.de is the focal point for the Council on Drugs and Addiction ("Drogen und Suchtrat"), which is the national coordinating mechanism on licit and illicit drugs. Part of its work is tobacco control. Several ministries (health, finance, justice, interior, economy, youth) are working within the council, but also NGOs.

Please provide a brief description of the progress made in implementing Article 5.1 and 5.2 (*General obligations*) in the past two years or since submission of your last report.

In February

2012 the National Strategy on Drug and Addiction Policy was launched by the Federal Commissioner on Drugs, tobacco control measures are a part of it.

http://www.drogenbeauftragte.de/fileadmin/dateien-dba/Presse/Downloads/Nationale_Strategie_Druckfassung_EN.pdf

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

One of the six targets for health on the national level is to reduce tobacco consumption. An action plan has been set up in 2003. In 2015 the health target "reduce tobacco consumption" was revised. More information can be found under www.gesundheitsziele.de Reducing Tobacco consumption is also one of the indicators in the National strategy on sustainability.

Protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

protecting public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry?

No ✘

ensuring that the public has access, in accordance with Article 12(c), to a wide range of information on tobacco industry activities relevant to the objectives of the Convention, such as in a public repository?

Yes ✔

If you answered “Yes” to any of the questions under C121 or C122, please provide details in the space below (specifically, please refer, if relevant, to whether your government or any of its departments 1) have raised awareness on tobacco industry tactics and the need to prevent interference by the tobacco industry with decision making; 2) have avoided entering into any partnerships or voluntary agreements with the tobacco industry; 3) have established any measures to limit interaction of public officials with the tobacco industry, including in the form of a code of conduct; 4) have not granted any incentives, privileges, benefits or preferential tax exemptions to the tobacco industry to establish or run their business; etc.).

There is information on tobacco control policy on the website of the Federal Ministry of Health. Further information, i.e. on tobacco products (database) can be found on the website of the Federal Ministry of Food and Agriculture.

Please provide a brief description of the progress made in implementing Article 5.3 in the past two years or since submission of your last report.

Have you utilized the “Guidelines for implementation of Article 5.3 of the WHO FCTC” when developing or implementing policies in this area?

Yes ✓

Please provide details in the space below or refer to section I of the additional questionnaire. Response to this question or to the additional questionnaire is **voluntary**. <https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en> (<https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en>)

The guidelines were considered in our activities.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Please attach the relevant documentation.

No comment

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No comment

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C2. MEASURES RELATING TO THE REDUCTION OF DEMAND FOR TOBACCO

With reference to Articles 6–14

Price and tax measures to reduce the demand for tobacco

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

tax policies and, where appropriate, price policies on tobacco products so as to contribute to the health objectives aimed at reducing tobacco consumption?

Yes ✓

prohibiting or restricting, as appropriate, sales to international travellers of tax- and duty-free tobacco products?

No ✗

prohibiting or restricting, as appropriate, imports by international travellers of tax- and duty-free tobacco products?

Yes ✓

Please provide a brief description of the progress made in implementing Article 6 (*Price and tax measures to reduce the demand for tobacco*) in the past two years or since submission of your last report.

As described at answer for question B 84

the minimum tax-rates on cigarettes increased each 15th February during the time period from 2016-2019. Therefore the tobacco manufactures adjusted the retail selling prices of the lower price categories.

Have you utilized the “Guidelines for implementation of Article 6 of the WHO FCTC” when developing or implementing policies in this area?

Yes ✓

If you answered “Yes” to question C215 please provide details in the space below or refer to section H of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is **voluntary**. <https://extranet.who.int/data-form/655321?token=i5atjzcmdquci9q&lang=en> (<https://extranet.who.int/data-form/655321?token=i5atjzcmdquci9q&lang=en>)

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

The limits for travellers are a) 200 cigarettes or b) 100 cigarillos or c) 50 cigars or d) 250 g of smoking tobacco or a combination of these products within the limits

Please attach the relevant documentation.

No comment

File type
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Protection from exposure to tobacco smoke

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

banning tobacco smoking in indoor workplaces, public transport, indoor public places and, as appropriate, other public places ?

Yes ✓

What is the type/nature of the measure providing for the ban?

national law	Yes
subnational law(s)	Yes
administrative and executive orders	No
voluntary agreements	No
other measures (please specify in C223 below)	

Please provide a brief explanation of the type/nature and content of the measures providing for the ban.

Workplace - general

(national workplace ordinance) The employers has to take necessary measures to protect non-smoking employees from tobacco related health risk. If necessary, the employer must issue a general smoking ban or one restricted to individual areas of the workplace. Regulations at federal level: The employer has to take "all necessary measures to effectively protect non-smoking employees against the health hazards of tobacco smoke in the workplace". The amendment in 2008 specified that a ban on smoking in the workplace is one of the ways to provide protection. In workplaces open to the public (i.e. primarily hospitality sector but also other areas where smoking by customers and visitors is allowed) the employers' obligations are more limited. The federal government prohibited smoking in government buildings, on public transport (including taxis) and at public transport stations. Regulations at Länder (state) level: In March 2007 the Germanys 16 Länder concluded a framework agreement with the federal government on introducing a smoking ban in the areas where the states have responsibility (Land, local institutions, educational facilities, health care facilities, cultural institutions, sport facilities, hospitality venues and other public places). Each Land had to enact the law through its own legislature.

Do any of these measures provide for a mechanism/ infrastructure for enforcement?

Yes ✓

Please provide details of this system.

Law

enforcement lies within the responsibility of the local level, there are fines defined within the law.

Please specify the settings and extent/comprehensiveness of measures applied in indoor workplaces, public transport, indoor public places and, as appropriate, other public places.

Indoor workplaces:

government buildings	Complete
health-care facilities	Complete
educational facilities ⁶	Partial
universities	Partial
private workplaces	Partial
other (please specify below)	

Please specify the settings and extent/comprehensiveness of measures applied in indoor workplaces, public transport, indoor public places and, as appropriate, other public places.

Public transport:

	airplanes	Complete
	trains	Complete
	ferries	Partial
	ground public transport (buses, trolleybuses, trams)	Complete
motor vehicles used as places of work (taxis, ambulances, delivery vehicles)		Complete
	private vehicles	None
	other (please specify below)	

Please specify the settings and extent/comprehensiveness of measures applied in indoor workplaces, public transport, indoor public places and, as appropriate, other public places.

Indoor public places:

	cultural facilities	Partial
	shopping malls	Partial
	pubs and bars	Partial
	nightclubs	Partial
	restaurants	Partial
	other (please specify below)	

Please provide a brief summary of complete and partial measures, with specific details of the partial measures that have been implemented:

Banning tobacco smoking in indoor workplaces

Employers obliged to protect non-smokers against passive smoking at federal and Länder (state) level except for workplaces accessible to the public

Banning tobacco smoking in public transport

Yes

Banning tobacco smoking in indoor public places

Yes, separate smoking rooms are allowed

Please provide a brief description of the progress made in implementing Article 8 (*Protection from exposure to tobacco smoke*) in the past two years or since submission of your last report.

Have you utilized the “Guidelines for implementation of Article 8 of the WHO FCTC” when developing or implementing policies in this area?

Yes ✓

If you answered “Yes” to question C229 please provide details in the space below or refer to section B of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is **voluntary**. <https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en> (<https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en>)

The guidelines were considered in our activities

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Please attach the relevant documentation.

No comment

File type

"pdf"

No comment

File type

"pdf"

Regulation of the contents of tobacco products

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

testing and measuring the contents of tobacco products?

Yes ✓

testing and measuring the emissions of tobacco products?

Yes ✓

regulating the contents of tobacco products?

Yes ✓

regulating the emissions of tobacco products?

Yes ✓

Please provide a brief description of the progress made in implementing Article 9 (*Regulation of the contents of tobacco products*) in the past two years or since submission of your last report.

Ingredients in tobacco products are regulated according to Tobacco Products Directive 2014/40/EU.

Have you utilized the “Guidelines for implementation of Articles 9 and 10 of the WHO FCTC” when developing or implementing policies in this area?

Yes ✓

If you answered “Yes” to question C236 please provide details in the space below or refer to section C of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is **voluntary**. <https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en> (<https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en>)

The guidelines were considered in our activities

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below (e.g., whether your country 1) has incorporated product regulation in the national tobacco control legislation; 2) has access to either governmental or independent – not owned or controlled by the tobacco industry – laboratories for testing contents and/or emissions of tobacco products; 3) has regulated ingredients, such as flavours (e.g. menthol); 4) has regulated product characteristics, such as design features (e.g., cigarette ventilation); etc.).

Please attach the relevant documentation.

Regulation of tobacco product disclosures

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

requiring manufacturers or importers of tobacco products to disclose to Government authorities information about the:

contents of tobacco products?	Yes
emissions of tobacco products?	Yes

requiring public disclosure of information about the:

contents of tobacco products?	Yes
emissions of tobacco products?	Yes

Please provide a brief description of the progress made in implementing Article 10 (*Regulation of tobacco product disclosures*) in the past two years or since submission of your last report.

Have you utilized the “Guidelines for implementation of Articles 9 and 10 of the WHO FCTC” when developing or implementing policies in this area?

Yes ✓

If you answered “Yes” to question C244 please provide details in the space below or refer to section C of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is voluntary. <https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en> (<https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en>)

The guidelines were considered in our activities.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below (e.g. whether your country has incorporated tobacco product disclosures in the national tobacco control legislation; has regulated the public disclosure of toxic constituents and emissions of tobacco products, aiming to raise public awareness and advance tobacco control policy; etc.).

The obligation to publish ingredients, emission values, additives and other information is regulated in § 32 (1) Tabakerzeugnisverordnung

Please attach the relevant documentation.

No comment

File type
"pdf"

Packaging and labelling of tobacco products

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

requiring that packaging, individual cigarettes or other tobacco products do not carry advertising or promotion?

Yes ✓

requiring that packaging and labelling do not promote a product by any means that are false, misleading, deceptive or likely to create an erroneous impression about its characteristics, health effects, hazards or emissions?

Yes ✓

requiring that each unit packet and package of tobacco products and any outside packaging and labelling of such products carry health warnings describing the harmful effects of tobacco use?

Yes ✓

ensuring that the health warnings are approved by the competent national authority?

Yes ✓

ensuring that the health warnings are rotated?

Yes ✓

ensuring that the health warnings are clear, visible and legible?

Yes ✓

Does your law mandate, as a minimum, a style, size and colour of font to render the warning clear, visible and legible?

Yes ✓

ensuring that the health warnings occupy no less than 30% of the principal display areas?

Yes ✓

ensuring that the health warnings occupy 50% or more of the principal display areas?

Yes ✓

ensuring that health warnings are in the form of, or include, pictures or pictograms?

Yes ✓

Does the Government own the copyright to these pictures and pictograms?

Would you grant a non-exclusive and royalty-free licence for the use of health warnings developed in your jurisdiction with other Parties?

requiring that each unit packet and package of tobacco products and any outside packaging and labelling of such products contain information on relevant:

constituents of tobacco products? No

emissions of tobacco products? No

requiring that the warnings and other textual information appear on each unit packet and package and on any outside packaging and labelling in the principal language or languages of the country?

Yes ✓

Please provide a brief description of the progress made in implementing Article 11 (*Packaging and labelling of tobacco products*) in the past two years or since submission of your last report.

Implementation of TPD.

Have you utilized the “Guidelines for implementation of Article 11 of the WHO FCTC” when developing or implementing policies in this area?

Yes ✓

If you answered “Yes” to question C2516 please provide details in the space below or refer to section D of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is voluntary. <https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en> (<https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en>)

The guidelines were considered in our activities

If you have any other relevant information pertaining to or not covered in this section, please provide details in the space below.

Please attach the relevant documentation.

Education, communication, training and public awareness

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

educational and public awareness programmes? (*Please refer to programmes implemented since submission of your two-year report.*)

Yes ✓

To whom are these programmes targeted?

- adults or the general public
- children and young people
- men
- women
- pregnant women
- ethnic groups
- other (please specify)
- Other

Do you reflect the following key differences among targeted population groups in educational and public awareness programmes?

- age
- gender
- educational background
- cultural background
- socioeconomic status
- other (please specify)
- Other

Do these educational and public awareness programmes cover:

- health risks of tobacco consumption?
 - health risks of exposure to tobacco smoke?
 - benefits of the cessation of tobacco use and tobacco-free lifestyles?
 - adverse economic consequences of tobacco production?
 - adverse economic consequences of tobacco consumption?
 - adverse environmental consequences of tobacco production?
 - adverse environmental consequences of tobacco consumption?
-

awareness and participation of the following agencies and organizations in development and implementation of intersectoral programmes and strategies for tobacco control:

- public agencies?
 - nongovernmental organizations not affiliated with the tobacco industry?
 - private organizations?
 - other (please specify)?
 - Other
-

Are the elaboration, management and implementation of communication, education, training and public awareness programmes guided by research and do they undergo pre-testing, monitoring and evaluation?

Yes ✓

Are appropriate and special training or sensitization and awareness programmes on tobacco control addressed to:

- health workers?
 - community workers?
 - social workers?
 - media professionals?
 - educators?
 - decision-makers?
 - administrators?
 - other (please specify)
 - Other
-

Please provide a brief description of the progress made in implementing Article 12 (*Education, communication, training and public awareness*) in the past two years or since submission of your last report.

The ongoing campaigns of the Federal Centre for Health Education (BZgA) are continuously adapted to new developments (e.g. consumption trends of shishas, electronic cigarettes, heat-not-burn products or mobile internet use)

Have you utilized the “Guidelines for implementation of Article 12 of the WHO FCTC” when developing and implementing policies in this area?

Yes ✓

If you answered “Yes” to question C269 please provide details in the space below or refer to section E of the additional questionnaire available at this link. Response to this question or to the additional questionnaire is voluntary. <https://extranet.who.int/data-form/655321?token=i5atjzcmdquci9q&lang=en> (<https://extranet.who.int/data-form/655321?token=i5atjzcmdquci9q&lang=en>)

The guidelines were considered in our activities

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

More information on the campaign for the adult population can be found under <http://www.rauchfrei-info.de>. Information on the youth campaign can be found under <http://www.rauch-frei.info>.

Please attach the relevant documentation.

Tobacco advertising, promotion and sponsorship

Have you adopted and implemented, where appropriate, any legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes:

instituting a comprehensive ban on all tobacco advertising, promotion and sponsorship?

No ✘

are you precluded by your constitution or constitutional principles from undertaking a comprehensive ban on tobacco advertising, promotion and sponsorship?

No ✘

applying restrictions on all tobacco advertising, promotion and sponsorship?

No ✘

applying restrictions on cross-border advertising, promotion and sponsorship originating from your territory with cross-border effects?

Yes ✔

prohibiting those forms of tobacco advertising, promotion and sponsorship that promote a tobacco product by any means that are false, misleading, deceptive or likely to create an erroneous impression about its characteristics, health effects, hazards or emissions?

Yes ✔

requiring that health or other appropriate warnings or messages accompany all tobacco advertising, promotion and sponsorship?

No ✘

restricting the use of direct or indirect incentives that encourage the purchase of tobacco products by the public?

Yes ✔

requiring the disclosure to relevant Government authorities of expenditures by the tobacco industry on advertising, promotion and sponsorship not yet prohibited?

Yes ✔

restricting tobacco advertising, promotion and sponsorship on:

- radio?
 - television?
 - print media?
 - the domestic Internet?
 - the global Internet?
 - other media (please specify below)?
 - Other
-

restricting tobacco sponsorship of:

- international events and activities?
participants therein?
-

cooperating with other Parties in the development of technologies and other means necessary to facilitate the elimination of cross-border advertising?

Yes ✔

imposing penalties for cross-border advertising equal to those applicable to domestic advertising, promotion and sponsorship originating from your territory in accordance with national law?

Yes ✔

Please provide a brief description of the progress made in implementing Article 13 (*Tobacco advertising, promotion and sponsorship*) in the past two years or since submission of your last report.

During the past two years no modifications have been made to German tobacco law. Germany is considering going beyond the existing measures of tobacco advertising, which have been taken in order to comply with Art. 13 of the Framework Convention Tobacco Control. A draft is in progress.

Have you utilized the “Guidelines for implementation of Article 13 of the WHO FCTC” when developing and implementing policies in this area?

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

According to the Youth Protection Act tobacco advertising in cinemas ist not allowed before 6 p.m. The Rules of Directive 2014/40/EU regarding tobacco products have been transformed into national law (§20 Gesetz über Tabakerzeugnisse und verwandte Erzeugnisse of 4 April 2016) The new provision can be found under the link:
<https://www.gesetze-im-internet.de/tabakerzg/TabakerzG.pdf>

Please attach the relevant documentation.

No comment

File type
"pdf"

Demand reduction measures concerning tobacco dependence and cessation

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

developing and disseminating appropriate, comprehensive and integrated guidelines based on scientific evidence and best practices?

Yes ✓

programmes to promote cessation of tobacco use, including:

- media campaigns emphasizing the importance of quitting?
programmes specially designed for underage girls and young women?
- programmes specially designed for women?
- programmes specially designed for pregnant women?
- telephone quitlines?
local events, such as activities related to World No Tobacco Day or National No Smoking Day, if appropriate?
other (please specify)?
Other

design and implementation of programmes aimed at promoting the cessation of tobacco use, in such locations as:

- educational institutions?
- health-care facilities?
- workplaces?
- sporting environments?
- other (please specify)?
- Other

inclusion of diagnosis and treatment of tobacco dependence and counselling services for cessation of tobacco use in national programmes, plans and strategies for:

- tobacco control?
- health?
- education?

inclusion of programmes on the diagnosis and treatment of tobacco dependence in your health-care system?

Yes ✓

Which structures in your health-care system provide programmes for the diagnosis and treatment of tobacco dependence?

- primary health care
- secondary and tertiary health care
- specialist health-care systems (please specify below)
- specialized centres for cessation counselling and treatment of tobacco dependence
- rehabilitation centres
- Other

Are the services provided in these settings covered by public funding or reimbursement schemes?

primary health care	Partially
secondary and tertiary health care	Partially
specialist health-care systems (please specify below)	
specialized centres for cessation counselling and treatment of tobacco dependence	Partially
rehabilitation centres	Partially
other (please specify below)	

Which health and other professionals are involved in programmes offering treatment for tobacco dependence and counselling services?

Health professionals including:

- physicians
- dentists
- family doctors
- practitioners of traditional medicine
- other medical professionals (please specify below)
- nurses
- midwives
- pharmacists
- Community workers
- Social workers
- other (please specify)
- Other

training on tobacco dependence treatment incorporated into the curricula of health professional training at pre- and post-qualification levels at the following schools:

- medical?
- dental?
- nursing?
- pharmacy?
- Other

facilitating accessibility and/or affordability of pharmaceutical products for the treatment of tobacco dependence?

Yes ✓

Where and how can these products be legally purchased in your country?

In Germany Varenicline and

Bupropion have to be prescribed by physicians. They can be purchased in pharmacies. There is no reimbursement for these medicamentations

Which pharmaceutical products are legally available for the treatment of tobacco dependence in your jurisdiction?

- nicotine replacement therapy
 - bupropion
 - varenicline
 - other (please specify)
 - Other
-

Are the costs of these products covered by public funding or reimbursement?

- nicotine replacement therapy
- bupropion
- varenicline
- other (please specify below)

Please provide a brief description of the progress made in implementing Article 14 (*Demand reduction measures concerning tobacco dependence and cessation*) in the past two years or since submission of your last report.

In May 2016 the national quitline and the BZgA online cessation program had to be printed on every cigarette pack in combination with the combined health warnings which led to a quadruplication of inbound calls and an increase of online registrations. Since then there are still high call numbers at the national quitline.

Have you utilized the "Guidelines for implementation of Article 14 of the WHO FCTC" when developing and implementing policies in this area?

Yes ✓

Please provide details in the space below or refer to section G of the additional questionnaire. Response to this question or to the additional questionnaire is **voluntary**.

<https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en> (<https://extranet.who.int/dataform/655321?token=i5atjzcmdquci9q&lang=en>)

The guidelines were considered in our activities

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

People who want to participate in smoking cessation training can ask their health insurance company to reimburse the training and will get a reimbursement. Some health insurance companies offer these trainings for their clients. Medication is not reimbursed; Bupropion and Varenicline have to be prescribed by physicians. Brief advice by doctors is covered as part of the general financing of primary health.

Please attach the relevant documentation.

No comment

File type
"pdf"

C3. MEASURES RELATING TO THE REDUCTION OF THE SUPPLY OF TOBACCO

With reference to Articles 15–17

Illicit trade in tobacco products

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

requiring marking of all unit packets and packages of tobacco products and any outside packaging of such products to assist in determining the origin of the product?

No ✘

requiring marking of all unit packets and packages of tobacco products and any outside packaging of such products to assist in determining whether the product is legally sold on the domestic market?

Yes ✔

requiring that unit packets and packages of tobacco products for retail and wholesale use that are sold on the domestic market carry the statement: “Sales only allowed in ...” or carry any other effective marking indicating the final destination of the product?

No ✘

developing a practical tracking and tracing regime that would further secure the distribution system and assist in the investigation of illicit trade?

No ✘

requiring that marking is presented in legible form and/or appears in the principal language or languages of the country?

Yes ✔

requiring the monitoring and collection of data on cross-border trade in tobacco products, including illicit trade?

Yes ✔

facilitating the exchange of this information among customs, tax and other authorities, as appropriate, and in accordance with national law and applicable bilateral and multilateral agreements?

Yes ✔

enacting or strengthening legislation, with appropriate penalties and remedies, against illicit trade in tobacco products, including counterfeit and contraband cigarettes?

Yes ✓

requiring that confiscated manufacturing equipment, counterfeit and contraband cigarettes and other tobacco products derived from illicit trade are destroyed, using environment-friendly methods where possible, or disposed of in accordance with national law?

Yes ✓

adopting and implementing measures to monitor, document and control the storage and distribution of tobacco products held or moving under suspension of taxes or duties?

Yes ✓

enabling the confiscation of proceeds derived from illicit trade in tobacco products?

No ✗

promoting cooperation between national agencies and relevant regional and international intergovernmental organizations in investigations, prosecutions and proceedings, with a view to eliminating illicit trade in tobacco products, with special emphasis on cooperation at regional and subregional levels?

Yes ✓

licensing or other actions to control or regulate production and distribution in order to prevent illicit trade?

Yes ✓

Please provide a brief description of the progress made in implementing Article 15 (*Illicit trade in tobacco products*) in the past two years or since submission of your last report.

The Protocol to

Eliminate the Illicit Trade in Tobacco Products was signed by Germany on 1.

October 2013 and ratified in 2017. The instrument of ratification was deposited

on 31. October 2017, based on the ratification law of 17. July 2017. Amongst

other factors, further measures depend on the common approach of the European

Commission and the Member States of the European Union (discussions currently

ongoing).

https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IX-4-a&chapter=9&lang=e

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

The Member States of the European Union

monitor and control the movement of excisable products by applying the "Excise Movement and Control System" (EMCS). It also enables governments and authorities to exchange data and collaborate in case of dubious or uncompleted movements.

Please attach the relevant documentation.

Sales to and by minors

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

prohibiting the sales of tobacco products to minors?

Yes ✓

Please specify the legal age:

18

requiring that all sellers of tobacco products place a clear and prominent indicator inside their point of sale about the prohibition of tobacco sales to minors?

Yes ✓

requiring that, in case of doubt, each seller of tobacco products requests that the purchaser provides appropriate evidence of having reached full legal age?

Yes ✓

banning the sale of tobacco products in any manner by which they are directly accessible, such as open store shelves?

Yes ✓

prohibiting the manufacture and sale of sweets, snacks, toys or any other objects in the form of tobacco products which appeal to minors?

No ✗

prohibiting the sale of tobacco products from vending machines?

No ✗

Do you ensure that tobacco vending machines are not accessible to minors and/or do not promote the sale of tobacco products to minors?

Yes ✓

prohibiting and/or promoting the prohibition of the distribution of free tobacco products:

- to the public?
 to minors?

prohibiting the sale of cigarettes individually or in small packets?

Yes ✓

providing for penalties against sellers and distributors in order to ensure compliance?

Yes ✓

prohibiting the sales of tobacco products by minors?

Yes ✓

Please provide a brief description of the progress made in implementing Article 16 (*Sales to and by minors*) in the past two years or since submission of your last report.

As part of an intensive education and information work, the federal government has been conducting projects and campaigns for the purpose of effective compliance with the youth protection law prohibitions. In addition, the federal government supports numerous prevention activities, in particular to prevent problematic consumption patterns of children and adolescents.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

In the Youth Protection Act, a general ban on the sale of tobacco products to minors in the public is anchored. For offering tobacco in the public by vending machines it must be ensured by technical means or by constant supervision that minors under the age of 18 cannot purchase tobacco from a vending machine. Violations can be punished with a fine of up to 50,000 euros. Accordingly, the industry has changed the tobacco vending machines and the age control is - based on bank cards, which are equipped with a chip, or - on the European driving license. The smart card reader in vending machines verifies that the cardholder has the minimum age requirement.

Please attach the relevant documentation.

No comment

File type
"pdf"

Provision of support for economically viable alternative activities

Have you adopted and implemented, where appropriate, measures or programmes on any of the following:

promoting economically viable and sustainable alternatives for:

tobacco growers?	No
tobacco workers?	No
tobacco individual sellers?	No

Please provide a brief description of the progress made in implementing Article 17 (*Provision of support for economically viable alternative activities*) in the past two years or since submission of your last report.

Have you utilized the “Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC)” when developing and implementing policies in this area?

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Please attach the relevant documentation.

C4. OTHER MEASURES AND POLICIES

With reference to Articles 18–21

Protection of the environment and the health of persons

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

implementing measures in respect of tobacco cultivation within your territory, which take into consideration:

the protection of the environment?	No
the health of persons in relation to the environment?	No

implementing measures in respect of tobacco manufacturing within your territory, which take into consideration:

the protection of the environment?	No
the health of persons in relation to the environment?	No

Please provide a brief description of the progress made in implementing Article 18 (*Protection of the environment and the health of persons*) in the past two years or since submission of your last report.

Have you utilized the “Policy options and recommendations on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC)” when developing and implementing policies in this area?

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

Please attach the relevant documentation.

Liability

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

Does your tobacco control legislation contain measures regarding criminal liability for any violations of that tobacco control legislation?

No

Do you have separate criminal liability provisions in relation to tobacco control (outside of the tobacco control legislation)?

No

Do you have any civil liability measures that are specific to tobacco control?

No

Do you have any general civil liability provisions that could apply to tobacco control?

No

Do you have civil or criminal liability provisions that provide for compensation for adverse health effects and/or for reimbursement of medical, social or other relevant costs?

No

Has any person in your jurisdiction launched any criminal and/or civil liability action, including compensation where appropriate, against any tobacco company in relation to any adverse health effect caused by tobacco use?

Yes

Have you taken, as appropriate, any legislative, executive, administrative and/or other action against the tobacco industry for full or partial reimbursement of medical, social and other relevant costs related to tobacco use in your jurisdiction?

No

Please provide a brief description of any progress made, as appropriate, in implementing Article 19 (*Liability*) in the past two years or since submission of your last report.

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

There is a Council directive of 25 July

1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products (RL 85/374/EWG). So Germany can't set other standards. The directive is implemented in the following law: Produkthaftungsgesetz (Gesetz über die Haftung für fehlerhafte Produkte - ProdHaftG) vom 15. Dezember 1989 (BGBl. I S. 2198). For Clarification: Condition for liability under the ProdHaftG is a defect of the product. Such a defect is not present at or in a tobacco product in its original condition, because there is no harmless tobacco in any condition.

Please attach the relevant documentation.

Research, surveillance and exchange of information

Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:

developing and/or promoting research that addresses:

- determinants of tobacco consumption?
- consequences of tobacco consumption?
- social and economic indicators related to tobacco consumption?
- tobacco use among women, with special regard to pregnant women?
- the determinants and consequences of exposure to tobacco smoke?
- identification of effective programmes for the treatment of tobacco dependence?
- identification of alternative livelihoods?
- Other

training and support for all persons engaged in tobacco control activities, including research, implementation and evaluation?

Yes ✓

a national system for epidemiological surveillance of:

- patterns of tobacco consumption?
- determinants of tobacco consumption?
- consequences of tobacco consumption?
- social, economic and health indicators related to tobacco consumption?
- exposure to tobacco smoke?
- Other

Please list all surveys, including the year of the survey, that you have undertaken in the past.

GEDA 2010 and 2012, 2014/2015

BZgA youth Survey 2011, 2012, 2014, 2015, 2016,2018 www.bzga.de ITC Survey by

DKFZ 2007, 2009, 2012 ESA by IFT, 2012,2015, 2018

Does your country have any plans to repeat any of the above or to undertake a new tobacco survey within three to five years of your last survey? Please provide details in the space below.

The youth survey

will be repeated at least every two years, the adult survey will be repeated every second year.

regional and global exchange of publicly available national:

- scientific, technical, socioeconomic, commercial and legal information?
- information on the practices of the tobacco industry?
- information on the cultivation of tobacco?

an updated database of:

- laws and regulations on tobacco control?
- information about the enforcement of laws on tobacco control?
- pertinent jurisprudence?

Please provide a brief description of the progress made in implementing Article 20 (*Research, surveillance and exchange of information*) in the past two years or since submission of your last report.

The ongoing surveys of the Federal Centre for Health education (BZgA) are continuously adapted to new developments (e.g. consumption of shishas, e-cigarettes or heat-not-burn products)

If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below (e.g. whether you included information on WHO FCTC implementation in your Voluntary National Review (VNR) on the Sustainable Development Goals (SDGs), related to target 3.a).

Please attach the relevant documentation.

D. INTERNATIONAL COOPERATION AND ASSISTANCE

Pursuant to Article 21.1(c) and in accordance with Article 26, have you either provided or received financial or technical assistance (be it through unilateral, bilateral, regional, sub-regional or other multilateral channels, including relevant regional and international intergovernmental or nongovernmental organizations and financial and development institutions) for the development and strengthening of multisectoral, comprehensive tobacco control programmes of developing country Parties and Parties with economies in transition in any of the following areas:

development, transfer and acquisition of technology, knowledge, skills, capacity and expertise related to tobacco control?

Assistance provided	No
Assistance received	No

provision of technical, scientific, legal and other expertise to establish and strengthen national tobacco control strategies, plans and programmes?

Assistance provided	No
Assistance received	No

appropriate training or sensitization programmes for appropriate personnel in accordance with Article 12?

Assistance provided	No
Assistance received	No

provision of the necessary material, equipment and supplies, as well as logistic support, for tobacco control strategies, plans and programmes?

Assistance provided	No
Assistance received	No

identification of methods for tobacco control, including comprehensive treatment of nicotine addiction?

Assistance provided	No
Assistance received	No

promotion of research to increase the affordability of comprehensive treatment of nicotine addiction?

Assistance provided	No
Assistance received	No

Please provide information about any assistance provided or received in the space below, including any support received from nongovernmental organizations (please, specify).

Not applicable

If you have not received or provided assistance in any of the aforementioned areas, please identify any financial or technical assistance that may be under consideration, if appropriate.

Not applicable

Have you encouraged relevant regional and international intergovernmental organizations and financial and development institutions in which you are represented to provide financial assistance for developing country Parties and for Parties with economies in transition to assist them in meeting their obligations under the Convention?

No ✘

E. PRIORITIES AND COMMENTS

What are the priorities for implementation of the WHO Framework Convention on Tobacco Control in your jurisdiction?

Implementation of the EU Tobacco Directive (Ingredients, Packaging and Labelling)

Have you identified any specific gaps between the resources available and the needs assessed for implementing the WHO Framework Convention on Tobacco Control?

No ✘

What, if any, are the constraints or barriers, other than lack of resources, you have encountered in implementing the Convention?

Do you have any of the following products available on your national tobacco market?

- smokeless tobacco products
 - water pipe tobacco
 - Electronic Nicotine Delivery Systems (ENDS)
 - Electronic Non-Nicotine Delivery Systems (ENNDS)
 - heated tobacco products (HTPs)
 - Other
-

Have you adopted and implemented any policy or regulation that is specific to the following tobacco products?

- smokeless tobacco products
 - water pipe tobacco
 - Electronic Nicotine Delivery Systems (ENDS)
Electronic Non-Nicotine Delivery Systems (ENNDS)
heated tobacco products (HTPs)
Other
-

If you have any relevant information related to questions E5 and E6, please provide details in the space below.

In the Youth

Protection Act is a ban to sale ENDS to children and youth under the age of 18.

For this group there is also a ban to use ENDS (§ 10 JuSchG Smoking in the public, tobacco products; <http://www.gesetze-im-internet.de/juschg/JuSchG.pdf>);

legislation that regulates smokeless tobacco products and waterpipe tobacco:

<https://www.gesetze-im-internet.de/tabakerzG/TabakerzG.pdf> ;

<https://www.gesetze-im-internet.de/tabakerzv/TabakerzV.pdf>

Please provide any other relevant information not covered elsewhere that you consider important.

Your suggestions for further development and revision of the reporting instrument:

As

competencies are widely in Germany spread and many institutions have to be involved into the reporting cycle the handling of the online version again has proved to be very complicated. The possibility to create a word version of the questionnaire would help a lot.

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