

Table 2.1

## COMPARATIVE ANALYSIS OF tobacco control measures in the EU and Hungary and recommendations of the Framework Convention on Tobacco Control (FCTC)

A. Pricing, taxation and control of smuggling			
Measures at EU level (form/title/date of adoption)	Provisions	Hungarian regulation <sup>1</sup>	FCTC – NOT YET IN FORCE (article/provision)
Binding legislation: Tax Directives, adopted in 1992, 1995 & 1999 (99/81/EC Directive amends earlier Directives: 92/12/EEC, 92/78/EEC, 92/79/EEC, 92/80/EEC, 95/59/EEC)	Provides member states two options to choose between: 1) the minimum overall excise duty (specific and ad valorem combined) of the retail price of the category most in demand should be of at least 57% AND the mini- mum total excise should be €60/1000 cigarettes (€64 as of 1 July 2006); 2) €95/1000 cigarettes (€101 as of 1 July 2006) and no 57% rule; 3) a VAT rate of minimum 13.04%.	Act CIII of 1997 on excises and on special rules of distribution of excised products <sup>2</sup> introduces measures in line with EU Directives 92/12/EEC, 92/79/EEC, 92/80/EEC. This includes: a) definition of various forms of indirect taxation; b) rules of the introduction of tax stamps; c) sets the amount/level of tax for 1998 <sup>3</sup> .	Art. 6: <i>Price and tax measures to reduce the            demand for tobacco</i> Suggested measures include a) implementation of tax/price policies on tobacco products "so as to contribute to the health objectives aimed at reducing tobacco consumption" and b) prohibition or restriction of "sales to and/or importation by international travellers of tax and duty-free tobacco products".
Non-binding regulation : Council Recommendation 2003/54/EC of 2 December 2002 on the prevention of smoking and on initiatives to improve tobacco control <sup>4</sup>	Recommends adoption and implementation of appropriate price measures on tobacco products so as to discourage tobacco consumption <sup>5</sup> .		

<sup>1</sup> Only regulations at country/national level are reviewed. All ministries, within their jurisdiction must develop rules of implementation of laws and other regulations related to manufacturing, trade, marketing and consumption of tobacco products. These (internal) rules are not mentioned separately. The Hungarian Constitution stipulates that every citizen has the right to have its health protected.

<sup>2</sup> <http://www.complex.hu/kzldat/t9700103.htm/t9700103.htm> (In Hungarian)

<sup>3</sup> Cigarette taxes are being determined every year by laws amending the 1997/CIII. law on excises. These are adopted by the Hungarian National Assembly in December every year. (E.g. the T5478 bill on the amendment of laws on taxes and other public expenditures is just being debated by the Hungarian Parliament.) Based on the accession agreement with the EU, Hungary was granted a delay for the adoption of the overall excise duty level for tobacco products applied in the EU until 31 December 2008. The Hungarian Government, however, decided to raise tobacco excises quicker and reaching EU tax level earlier.

<sup>4</sup> [http://europa.eu.int/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=32003H0054&model=guichett](http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=32003H0054&model=guichett)

<sup>5</sup> According to best international experience, these measures should include, as a minimum a tax/price raise above the rate of average inflation

Establishment of the European Anti-Fraud Office (OLAF) <sup>6</sup> (June 1999)	OLAF conducts, in full independence, internal and external investigations of fraud cases, including smuggling of tobacco products. Supplies Member States with technical know-how in their anti-fraud activities.	The Hungarian Government expressed its commitment to fully collaborate with the OLAF. In 2001, the Hungarian National OLAF Coordination Bureau <sup>7</sup> has been established within the Legal Department in the Ministry. The Bureau established good cooperation with the Hungarian Customs and Finance Guard and other institutions involved in the control of cigarette smuggling.	Art. 15: <i>Illicit trade of tobacco products</i> Recommended measures for combating smuggling of tobacco products include: a) requiring that packages of tobacco products carry a statement: " <i>Sales only allowed in ...</i> " or other effective marking indicating the final destination of use of the product; b) consideration of developing a "practical tracking and tracing regime" that secures the distribution system and assists investigation in illicit trade; c) collection of and monitoring data on cross-border trade of tobacco; d) adoption of measures enabling confiscation of "proceeds derived from the illicit trade in tobacco products"; e) taking steps to ensure that all confiscated goods (manufacturing equipment, counterfeit or contraband cigarettes) are destroyed.
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<sup>6</sup> The mission of the European Anti-Fraud Office (OLAF) is to protect the interests of the European Union, to fight fraud, corruption and any other irregular activity, including misconduct within the European Institutions. Pursuing this mission in an accountable, transparent and cost-effective manner, OLAF aims to provide a quality service to the citizens of Europe.

<sup>7</sup> [http://europa.eu.int/comm/anti\\_fraud/partners/tribune/cand-count/hu/c\\_en.html](http://europa.eu.int/comm/anti_fraud/partners/tribune/cand-count/hu/c_en.html)

## B. Sales of tobacco products to and by minors

EU regulation (form/title/date of adoption)	Provisions	Hungarian regulation	FCTC – NOT YET IN FORCE (article/provision)
EU regulation (form/title/date of adoption) Non-binding regulation : Council Recommendation 2003/54/EC of 2 December 2002 on the prevention of smoking and on initiatives to improve tobacco control <sup>1</sup>	recommends adoption of legislation to prevent a) sale of tobacco products to minors by enforcing age limits; b) self-service and vending machines accessible to minors; c) sale of sweets and toys resembling cigarettes; d) sale of individual cigarettes or packages with fewer than 19 cigarettes.	Act XLII of 1999 on the protection of non-smokers and the regulation of tobacco sales, marketing and use <sup>8</sup> . Relevant provisions include: a) it is forbidden the sale of tobacco products in educational establishments, social, welfare and health care institutions; b) no tobacco product can be sold to persons under the age of 18; c) adequate proof of age can be requested by sellers; d) tobacco products shall not be marketed as commercial samples.  Act CIII of 1997 on excises and on special rules of distribution of excised products forbids use of vending machines for selling tobacco products as of December 31, 2001.	Art. 16: <i>Sales to and by minors</i> To prevent sales to and by minors, FCTC recommends a) that sellers should be required to place a clear and prominent indicator inside their points of sale about the prohibition of tobacco sales to minors, and, in case of doubt, "request each tobacco purchaser provide appropriate evidence of having reached full legal age"; b) prohibition of any impersonal form of sale; c) prohibition of manufacturing toys and any other objects which resemble tobacco products and might appeal to children; d) making vending machines inaccessible to young people".

## C. Promotion of tobacco products

Measures at EU level (form/title/date of adoption)	Provisions	Hungarian regulation	FCTC – NOT YET IN FORCE (article/provision)
Binding legislation: Directive 2003/33/EC of the European Parliament and of the Council of 26 May 2003	a) Advertising in the press is prohibited except in tobacco trade journals and other journals not destined for the EU market; b) All forms of radio advertising for tobacco products are banned, and radio program-	The Act I of 1996 on radio and television broadcasting <sup>9</sup> bans (§13) tobacco advertising in these media.	Art. 13: <i>Tobacco advertising, promotion and sponsorship</i> Summary recommendations: a) a comprehensive ban on tobacco advertising and sponsorship – countries

<sup>8</sup> [http://filter.tobinfo.org/legislation/national/hungary\\_law.pdf](http://filter.tobinfo.org/legislation/national/hungary_law.pdf)

<sup>9</sup> <http://www.meh.hu/nekh/Magyar/6-1999-1.htm> (In Hungarian)

on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products <sup>10</sup>	<p>mes shall not be sponsored by tobacco companies;</p> <p>c) sponsorship of events by tobacco companies involving Member States or having cross-border effect shall be prohibited;</p> <p>d) free distribution of tobacco products is forbidden.</p>	<p>Act I of 2001 amending Act LVIII on economic advertising activities<sup>11</sup>. Main provisions:</p> <p>a) all forms of direct and indirect advertising of tobacco products are forbidden; exemptions can only be made with advertising aimed at distributors of tobacco products and advertisements related to world sport events (e.g. Hungarian Formula-1 race);</p> <p>b) point-of-sale advertising is allowed only for product and price information display.</p>	<p>with constitutional constraints shall apply restrictions;</p> <p>b) elimination of cross-border advertising originating from every Party's territory.</p>
<p>Binding legislation:</p> <p>Directive 97/36/EC of the European Parliament and of the Council of 30 June 1997 [amending Council Directive 89/552/EEC ("Television without Frontiers")] on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities<sup>13</sup></p>	<p>a) all forms of television advertising for tobacco products are banned;</p> <p>b) television programmes may not be sponsored by undertakings whose principal activity is the manufacture or sale of cigarettes and other tobacco products.</p>	<p>Act CXLV of 2000 on sports<sup>12</sup> (§75) stipulates that during marketing activities related to sponsored sport events, "it shall be forbidden to depict sport in connection with a service or lifestyle that is harmful to one's health".</p>	
<p>Non-binding regulation:</p> <p>Council Recommendation (2003/54/EC) of 2 December 2002</p> <p>On the prevention of smoking and on initiatives to improve tobacco control<sup>1</sup></p>	<p>Recommends the adoption of legislation to prevent</p> <p>a) the use of tobacco brand-names on non-tobacco products;</p> <p>b) use of promotional items, eg. ashtrays, lighters, etc;</p> <p>c) outside advertising billboards, cinema advertising and any other form of advertising or sponsorship.</p>		

<sup>10</sup> [http://europa.eu.int/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32003L0033&model=guichett](http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32003L0033&model=guichett)

<sup>11</sup> <http://www.complex.hu/kzldat/t0100001.htm/t0100001.htm> (In Hungarian)

<sup>12</sup> [http://www.mams.hu/download/sporttorveny\\_angol.pdf](http://www.mams.hu/download/sporttorveny_angol.pdf)

<sup>13</sup> [http://europa.eu.int/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=31997L0036&model=guichett](http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=31997L0036&model=guichett)

## D. Product control, identification and consumer information

EU regulation (form/title/date of adoption)	Provisions	Hungarian regulation	FCTC – NOT YET IN FORCE (article/provision)
<p>Binding legislation: Directive 2001/37/EC of the European Parliament and Council [repeals Directives 89/622/EEC (labelling) and 90/239/EEC (tar content)] of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products<sup>14</sup></p>	<p>a) from 1 January 2004, yield cannot be greater than 10mg tar, 1mg nicotine, 10 mg CO per cigarette (only cigarettes for export are not subject to this regulation until 1 January 2005 and 1 January 2007 in Greece, respectively);</p> <p>b) yields, above, to be printed on packs in member state's official language, to cover at least 10% of packaging (12% where 2 languages, 15% where 3 languages);</p> <p>c) each cigarette/ tobacco packet must carry general warnings ("Smoking kills" and "Smoking harms those around you") on the most visible surface of outer packaging to cover at least 30% of pack (32% where 2 languages, 35% where 3 languages) PLUS one "additional warning" to cover 40% of pack (45% where 2 languages, 50% where 3 languages)</p> <p>d) text, names, trade marks and signs – which suggest that one tobacco product is less harmful than another – are not permitted</p> <p>e) tobacco for oral use is not permitted other than in Austria, Finland and Sweden.</p>	<p>Act LVIII of 2002 on the amendment of some laws concerning health care and social insurance<sup>15</sup> (amending Act XLII of 1999 on the protection of non-smokers and the regulation of tobacco sales, marketing and use, and introducing the regulation included in Directive 2001/37/EC). Main provisions include:</p> <p>a) size of health warnings must be 30% and 40% on the front and back surface of outside packaging, while 10% of one of the sides must be covered by information on nicotine, tar and CO contents of cigarettes;</p> <p>b) two general warnings should be published in a rotating manner; these are: "Smoking might kill!" and "Smoking seriously damages your health and that of those around you!";</p> <p>c) rotating warnings must be chosen from 14 sentences given in the annex to this law;</p> <p>d) general warnings must also be displayed at point-of-sale.</p> <p>Joint Decree No 86/2003 of Ministries of Agriculture, Health and Social Care and Industry and Transport on the production, distribution and control of tobacco products<sup>16</sup> (amending Joint Decree No 36/1996 (XII.11))</p>	<p>Art. 9: <i>Regulation of the contents of tobacco products</i> Requests the Conference of the Parties to propose guidelines for "testing and measuring the contents and emissions of tobacco products, and for the regulation of these contents and emissions". Parties shall take measures ensuring "such testing and measuring".</p> <p>Art. 10: <i>Regulation of tobacco product disclosures</i> a) Parties shall require by law disclosure to governmental authorities information about the content and emissions of tobacco products by manufacturers and importers; b) Parties shall adopt and implement measures for PUBLIC disclosure of information about the toxic constituents of tobacco products and their emissions.</p> <p>Art. 11: <i>Packaging and labelling</i> a) tobacco product packaging and labelling must not 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", including</p>

<sup>14</sup> [http://europa.eu.int/eur-lex/pri/en/oj/dat/2001/l\\_194/l\\_19420010718en00260034.pdf](http://europa.eu.int/eur-lex/pri/en/oj/dat/2001/l_194/l_19420010718en00260034.pdf)

<sup>15</sup> <http://www.complex.hu/kzldat/t0200058.htm/t0200058.htm> (In Hungarian)

<sup>16</sup> [http://www.fvm.hu/wps/DownloadFile?topic=jogszabalyok&did=E94D2C4A00009C46C1256D8A0031BFAF&filename=86\\_2003.pdf](http://www.fvm.hu/wps/DownloadFile?topic=jogszabalyok&did=E94D2C4A00009C46C1256D8A0031BFAF&filename=86_2003.pdf) (In Hungarian)

<p>Non-binding regulation: Commission Decision 2003/641/EC On the use of colour photographs or other illustrations as health warnings on tobacco packages<sup>18</sup></p>	<p>Establishes rules for the use on tobacco packages, of colour photographs or other illustrations to depict and explain the health consequences of smoking. Member States are not requested to use colour pictures, but where they choose to do so they must adhere to these guidelines.</p>	<p>of Ministries of Agriculture, Health and Industry and Trade on the production, distribution and control of tobacco products and Joint Decree 43/2002. (V.14.) of Ministries of Agriculture, Health and Social Care and Industry and Transport on the production, distribution and control of tobacco products<sup>17</sup>. The Decree ensures alignment with Directive 2001/37/EC of the European Parliament and Council. It refers to:</p> <ul style="list-style-type: none"> <li>a) rules of manufacturing and importation of tobacco products;</li> <li>b) The "Veterinarian and food products checking station of Heves county" is made responsible for control of nicotine, tar and CO content of cigarettes and is requested to report every year these data to the Ministry of Agriculture;</li> <li>c) every year manufacturers or importers are requested to disclose all ingredients and additives used during the cigarette manufacturing process.</li> </ul>	<p>any sign (such as terms like "low tar", "ultra light", "mild") that should create the false impression that a particular tobacco product is less harmful than other tobacco products.</p> <ul style="list-style-type: none"> <li>b) packages must carry "large, clear, visible and legible" health warnings, with rotating messages, its size "should be 50% or more of the principal display areas but shall be no less than 30% of the principal display areas";</li> <li>c) health warnings "may be in form of or include pictures or pictograms";</li> <li>d) in addition to warnings, each package should carry information "on relevant constituents and emissions of tobacco products".</li> </ul>
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<sup>17</sup> <http://www.agroinform.hu/magazin/szaktanacsadas.php> (In Hungarian)

<sup>18</sup> [http://europa.eu.int/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32003D0641&model=guichett](http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32003D0641&model=guichett)

## E. Smoke-free environments (banning smoking in public places, prevention of ETS-related harm)

EU regulation (form/title/date of adoption)	Provisions	Hungarian regulation	FCTC – NOT YET IN FORCE (article/provision)
<p>Binding legislation: Council Directive 89/654/EEC concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC)<sup>19</sup></p> <p>Binding legislation: Council Directive 92/85/EEC On the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth to a baby or are breastfeeding<sup>22</sup></p>	<p>appropriate measures should be taken for the protection of non-smokers against discomfort caused by tobacco smoke</p> <p>Workers should not be exposed to a variety of chemical agents known to pose a risk to the unborn child, including carbon-monoxide</p>	<p>Act XCIII of 1993 on industrial safety<sup>20</sup> (§38) requires employers to provide adequate protection to non-smokers at workplace. Designating smoking areas for smokers can be a solution, not least because fire prevention reasons.</p> <p>Act XXXI of 1997 on child protection and management of legal guardianship<sup>21</sup> (§6, §10). Its relevant provisions include:</p> <p>a) every child has the right to be protected against harms of environment and society as well as against substances harmful to health;</p> <p>b) every child is obliged to refrain from behaviours damaging health and from consuming substances detrimental to health.</p> <p>Act XLII of 1999 on the protection of non-smokers and the regulation of tobacco sales, marketing and use<sup>7</sup> determines rules for consumption of tobacco products:</p> <p>a) smoking shall be banned with the exception of areas designated for smoking</p> <p>1) within any indoor facility of public institutions that is open for the users of</p>	<p>Art. 8: <i>Protection from exposure to tobacco smoke</i></p> <p>Requests adoption and implementation of effective administrative and other measures providing protection from "exposure to tobacco smoke in indoor workplaces, public transport, indoor public places and, as appropriate, other public places."</p>
<p>Non-binding regulation: Council Resolution 96/C 374/04 On the promotion of a reduction of smoking in the European Community<sup>23</sup></p>	<p>a) urges the Member States</p> <ul style="list-style-type: none"> <li>• to continue to promote strategies and measures aimed at reducing the prevalence of smoking and regularly exchange information on these strategies and measures,</li> </ul> <p>b) calls upon the Commission:</p> <ul style="list-style-type: none"> <li>• to take particular account in Community policies of the detrimental effect of smoking on the health and quality of life of citizens of the Community;</li> </ul>	<p>Act XLII of 1999 on the protection of non-smokers and the regulation of tobacco sales, marketing and use<sup>7</sup> determines rules for consumption of tobacco products:</p> <p>a) smoking shall be banned with the exception of areas designated for smoking</p> <p>1) within any indoor facility of public institutions that is open for the users of</p>	

<sup>19</sup> [http://europa.eu.int/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=31989L0654&model=guichett](http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=31989L0654&model=guichett)

<sup>20</sup> <http://www.complex.hu/kzldat/t9300093.htm/t9300093.htm> (In Hungarian)

<sup>21</sup> <http://www.complex.hu/kzldat/t9700031.htm/t9700031.htm> (In Hungarian)

<sup>22</sup> [http://europa.eu.int/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=31992L0085&model=guichett](http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=31992L0085&model=guichett)

<sup>23</sup> [http://europa.eu.int/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=31996Y1211\(04\)&model=guichett](http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=31996Y1211(04)&model=guichett)

	<ul style="list-style-type: none"> <li>• to carry out surveys on best practices conducted in the Member States towards reducing the prevalence of smoking, and the evaluation of their impact;</li> <li>• to examine, in the light of its assessment of measures taken by Member States, the possible further measures which might be taken by the Community to support actions taken by Member States directed towards the reduction of smoking;</li> <li>• to support the efforts of Member States to reduce smoking and to present reports on a regular basis on the progress achieved by the Community in promoting coordination by Member States of their policies and programmes and on the potential for further initiatives.</li> </ul>	<p>services; 2) on public conveyances; 3) during functions taking place within an indoor facility; 4) in the workplace, as provided for by separate legislation and as regulated by the employer's policy;</p> <p>b) it shall not be allowed to designate smoking area or smoking room 1) within primary health care and outpatient specialist care units; 2) in retail pharmacies that are open for access by patients; 3) within premises of institutions of public education that are accessed by students; 4) in day-care or residential care service units for children; 5) in social care units; 6) on public transport facilities, including commuters' trains as well as buses in scheduled domestic interurban public traffic<sup>24</sup>; 6) in indoor areas of sports facilities designed for carrying out sports activities;</p> <p>c) a smoking area shall not be designated within the same premises (e.g. in a restaurant), except if the indoor air of such area can be separated from the remaining part thereof, or if separation can be executed by using appropriate ventilation techniques;</p> <p>d) the National Public Health and Medical Officer Service is named the responsible authority for enforcing this legislation and applying fines as stipulated by this law;</p> <p>e) young people under 18 are not allowed to smoke even in places where otherwise smoking is permitted.</p>	
<p>Non-binding regulation: Council Recommendation (2003/54/EC) of 2 December 2002 On the prevention of smoking and on initiatives to improve tobacco control<sup>1</sup></p>	<p>Recommends the adoption of legislation to provide protection from exposure to Environmental Tobacco Smoke in indoor workplaces, enclosed public places and public transport. Priority consideration should be given to educational establishments, health care facilities and places providing services to children.</p>		

<sup>24</sup> In its jurisdiction the management of MALÉV Hungarian Airlines introduced a total ban of smoking on all its flights as of November 1997.



## F. Smoking cessation

EU regulation (form/title/date of adoption)	Provisions	Hungarian regulation	FCTC – NOT YET IN FORCE (article/provision)
<p>Non-binding regulation: Council Recommendation (2003/54/EC) of 2 December 2002 On the prevention of smoking and on initiatives to improve tobacco control<sup>1</sup></p>	<p>Recommends the continuing development of strategies and measures to reduce the prevalence of smoking.</p>	<p>Achievements so far:</p> <ul style="list-style-type: none"> <li>a) a Hungarian network of units providing advice on how to quit smoking has been established and is being funded and managed by the National Health Development Institute;</li> <li>b) the new National Public Health Programme, adopted by the Hungarian Parliament in June 2002 has got a tobacco control component; some activities have already been funded in 2003, but no nationwide efforts have been launched so far;</li> <li>c) no public money is being used for support of cessation aids;</li> <li>d) no anti-smoking mass media campaigns have been organised since 1996.</li> </ul>	<p>Art. 14: <i>Demand reduction measures concerning tobacco dependence and cessation</i></p> <p>Recommendations include</p> <ul style="list-style-type: none"> <li>a) planning and implementation of effective programmes aimed at promoting cessation of tobacco use;</li> <li>b) inclusion of diagnosis and treatment of tobacco dependence and counselling on smoking cessation "in national health and education programmes, plans and strategies";</li> <li>c) establishing programmes for "diagnosing, counselling, preventing and treating tobacco dependence" in health care facilities and rehabilitation centres;</li> <li>d) facilitation of accessibility and affordability of cessation aids, e.g. pharmaceutical products for treatment of tobacco dependence.</li> </ul>

## G. Education, public information and public opinion

EU regulation (form/title/date of adoption)	Provisions	Hungarian regulation	FCTC – NOT YET IN FORCE (article/provision)
Non-binding regulation: Council Recommendation (2003/54/EC) of 2 December 2002 On the prevention of smoking and on initiatives to improve tobacco control <sup>1</sup>	Recommends the strengthening of overall health education, particularly in schools, and general programmes to discourage the initial use of tobacco products and to overcome tobacco addiction.	Some initiatives have already been taken in both kindergarten and schools, especially at local level, without reaching substantial percent of the targeted age groups. These initiatives are being implemented by both government-based agencies and NGOs. No evaluation of these efforts was provided so far.	Art. 12: <i>Education, communication, training and public awareness</i> To "strengthen public awareness on tobacco control issues" FCTC recommends: a) ensuring broad access to "effective and comprehensive educational and public awareness programmes on the health risks including the addictive characteristics of tobacco consumption and exposure to tobacco smoke"; b) promotion of public awareness on the benefits of smoking cessation and tobacco-free lifestyles;