

Commission Implementing Regulation (EU) 2018/574 of 15 December 2017 on technical standards for the establishment and operation of a traceability system for tobacco products (Text with EEA relevance)

CHAPTER II

TECHNICAL SPECIFICATIONS RELATED TO THE UNIQUE IDENTIFIER

SECTION 1

Common provisions

Article 3

ID issuer

- 1 Each Member State shall appoint an entity (the ‘ID issuer’) responsible for generating and issuing unique identifiers, in accordance with Articles 8, 9, 11 and 13, within a maximum period of one year from the date of entry into force of this Implementing Regulation.
- 2 Member States shall ensure that an ID issuer that intends to have recourse to subcontractors for the performance of its functions shall only be considered for appointment if the identity of any subcontractors proposed has been communicated to them.
- 3 The ID issuer shall be independent and comply with the criteria set out in Article 35.
- 4 Each ID issuer shall be equipped with a unique identification code. The code shall be composed of alphanumeric characters and comply with the International Organization for Standardisation/International Electrotechnical Commission standard (‘ISO/IEC’) 15459-2:2015.
- 5 Where the same ID issuer is appointed in more than one Member State, it shall be identifiable by the same code.
- 6 Member States shall notify the Commission of the appointment of the ID issuer and of its identification code within one month of its appointment.
- 7 Member States shall ensure that information related to the identity of the ID issuer appointed and its identification code is made publicly available and accessible online.
- 8 Each Member State shall put in place adequate measures to ensure:
 - a that the ID issuer it has appointed continues to comply with the requirement of independence in accordance with Article 35; and
 - b the continuous operation of the services provided by successive ID issuers, in case a new ID issuer is appointed to take over the services from the previous ID issuer. For this purpose Member States shall require the ID issuer to develop an exit plan laying down the procedure to be followed to guarantee the continuity of the operations until the new ID issuer is appointed.
- 9 The ID issuer may establish and charge fees to economic operators solely for generating and issuing unique identifiers. Fees are to be non-discriminatory and proportionate to

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the number of unique identifiers generated and issued to economic operators taking into account the mode of delivery.

Article 4

Competent ID issuers for generating and issuing unique identifiers

1 For tobacco products manufactured in the Union, the competent ID issuer shall be the entity appointed for the Member State in which the products are manufactured.

By derogation to the first subparagraph, the competent ID issuer shall be the entity appointed for the Member State on whose market the products are placed, where such a requirement is imposed by that Member State.

2 For tobacco products imported into the Union, the competent ID issuer shall be the entity appointed for the Member State on whose market the products are placed.

3 For tobacco products aggregated in the Union, the competent ID issuer shall be the entity appointed for the Member State in which the products are aggregated.

4 For tobacco products destined for export, the competent ID issuer shall be the entity appointed for the Member State in which the products are manufactured.

5 In the event of the temporary absence of the competent ID issuer, the Commission may authorise economic operators to use the services of another ID issuer that has been appointed in accordance with Article 3.

Article 5

Validity of unique identifiers and deactivation

1 Unique identifiers generated by ID issuers may be used to mark unit packets or aggregated packaging, as provided for by Articles 6 and 10, within a maximum period of six months from the date of receipt of the unique identifiers by the economic operator. After this time period unique identifiers shall become invalid and economic operators shall ensure that they are not used to mark unit packets or aggregated packaging.

2 The repositories system shall ensure that the unique identifiers that have not been used within the six months period referred to in paragraph 1 shall be automatically deactivated.

3 At any time, manufacturers and importers may obtain the deactivation of unique identifiers by transmitting a deactivation request to the relevant primary repository. Other economic operators may obtain the deactivation of the unique identifiers by transmitting a deactivation request via the router. The deactivation request shall be introduced electronically, in accordance with Article 36, and shall contain the information listed in point 2.3 of Section 2 of Chapter II of Annex II, in the format indicated therein. The deactivation shall not interfere with the integrity of the information already stored related to the unique identifier.

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2020/1496 Sch. 1 para. 47\(c\)](#)
- Art. 2(A1) inserted by [S.I. 2020/1496 Sch. 1 para. 3\(b\)](#)
- Art. 2(1A) inserted by [S.I. 2020/1496 Sch. 1 para. 3\(c\)](#)
- Art. 2(4) words substituted by [S.I. 2020/1496 Sch. 1 para. 3\(d\)](#)
- Art. 2(7) words inserted by [S.I. 2020/1496 Sch. 1 para. 3\(e\)](#)
- Art. 2(8) word substituted by [S.I. 2020/1496 Sch. 1 para. 3\(g\)](#)
- Art. 2(8) words substituted by [S.I. 2020/1496 Sch. 1 para. 3\(f\)](#)
- Art. 2(9) word substituted by [S.I. 2020/1496 Sch. 1 para. 3\(g\)](#)
- Art. 2(13) substituted for Art. 2(13)(14) by [S.I. 2020/1496 Sch. 1 para. 3\(h\)](#)
- Art. 2(15) substituted by [S.I. 2020/1496 Sch. 1 para. 3\(i\)](#)
- Art. 2(16) omitted by [S.I. 2020/1496 Sch. 1 para. 3\(j\)](#)
- Art. 2(17) words substituted by [S.I. 2020/1496 Sch. 1 para. 3\(k\)](#)
- Art. 2(18) substituted by [S.I. 2020/1496 Sch. 1 para. 3\(l\)](#)
- Art. 7(6)(a) omitted by [S.I. 2020/1496 Sch. 1 para. 8\(e\)](#)
- Art. 8(1)(c)(vii) words substituted by [S.I. 2020/1496 Sch. 1 para. 9\(a\)\(ii\)](#)
- Art. 9(3)(b) words substituted by [S.I. 2020/1496 Sch. 1 para. 10\(b\)](#)
- Art. 9(4)(b) words substituted by [S.I. 2020/1496 Sch. 1 para. 10\(b\)](#)
- Art. 9A inserted by [S.I. 2020/1496 Sch. 1 para. 11](#)
- Art. 13(3)(b) words substituted by [S.I. 2020/1496 Sch. 1 para. 17\(b\)](#)
- Art. 13(4)(b) words substituted by [S.I. 2020/1496 Sch. 1 para. 17\(c\)](#)
- Art. 24(1)(a) words omitted by [S.I. 2020/1496 Sch. 1 para. 29\(a\)\(ii\)\(bb\)](#)
- Art. 24(1)(a) words substituted by [S.I. 2020/1496 Sch. 1 para. 29\(a\)\(ii\)\(aa\)](#)
- Art. 24(1)(b) omitted by [S.I. 2020/1496 Sch. 1 para. 29\(a\)\(iii\)](#)
- Art. 24(1)(c) words substituted by [S.I. 2020/1496 Sch. 1 para. 29\(a\)\(iv\)](#)
- Art. 25(1)(a) omitted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(ii\)](#)
- Art. 25(1)(d) words substituted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(iii\)\(aa\)](#)
- Art. 25(1)(d) words substituted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(iii\)\(bb\)](#)
- Art. 25(1)(e) words substituted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(iv\)](#)
- Art. 25(1)(f) word substituted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(v\)](#)
- Art. 25(1)(g) words substituted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(iv\)](#)
- Art. 25(1)(h) words substituted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(iv\)](#)
- Art. 25(1)(j) words substituted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(vi\)](#)
- Art. 25(1)(k) substituted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(vii\)](#)
- Art. 25(1)(l) word substituted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(viii\)\(aa\)](#)
- Art. 25(1)(l) words substituted by [S.I. 2020/1496 Sch. 1 para. 31\(a\)\(viii\)\(bb\)](#)
- Art. 27(2)(c) words substituted by [S.I. 2020/1496 Sch. 1 para. 35\(b\)\(iv\)](#)
- Art. 32(1)(a) words inserted by [S.I. 2020/1496 Sch. 1 para. 42\(a\)\(ii\)](#)
- Art. 32(8) inserted by [S.I. 2020/1496 Sch. 1 para. 42\(f\)](#)
- Art. 33(5) inserted by [S.I. 2020/1496 Sch. 1 para. 43\(d\)](#)
- Art. 34(4)(a) omitted by [S.I. 2020/1496 Sch. 1 para. 44](#)
- Art. 36(1)(b) omitted by [S.I. 2020/1496 Sch. 1 para. 46\(a\)\(i\)](#)
- Art. 36(1)(c) word substituted by [S.I. 2020/1496 Sch. 1 para. 46\(a\)\(ii\)](#)
- Art. 36(1)(c)(i) word inserted by [S.I. 2020/1496 Sch. 1 para. 46\(a\)\(iv\)](#)
- Art. 36(1)(c)(i) word substituted by [S.I. 2020/1496 Sch. 1 para. 46\(a\)\(iii\)](#)
- Art. 36(1)(c)(iii) words omitted by [S.I. 2020/1496 Sch. 1 para. 46\(a\)\(vi\)](#)
- Art. 36(1)(c)(ii) and word omitted by [S.I. 2020/1496 Sch. 1 para. 46\(a\)\(v\)](#)