

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 VI

RECORDING AND TRANSMITTING

Article 32

Recording and transmission of information on product movements

1 To allow the determination of the actual shipment route of unit packets manufactured in, or imported into the Union, economic operators shall record the following events:

- a application of unit level UIs on unit packets;
- b application of aggregated level UIs on aggregated packaging;
- c dispatch of tobacco products from a facility;
- d arrival of tobacco products at a facility;
- e trans-loading.

2 Manufacturers and importers shall transmit the information listed in points 3.1 to 3.5 of Section 3 of Chapter II of Annex II, in the format indicated therein, to the primary repository contracted by them. All other economic operators shall transmit the information listed in points 3.1 to 3.5 of Section 3 of Chapter II of Annex II, in the format indicated therein, via the router.

3 For disaggregation of aggregated packaging marked pursuant to Article 10(4), where an economic operator intends to reuse an aggregated level UI in any future operations, manufacturers and importers shall transmit the information listed in point 3.6 of Section 3 of Chapter II of Annex II, in the format indicated therein, to the primary repository contracted by them. All other economic operators shall transmit the information listed in point 3.6 of Section 3 of Chapter II of Annex II, in the format indicated therein, via the router.

4 For deliveries to multiple first retail outlets by means of a vending van, manufacturers and importers shall transmit the information listed in point 3.7 of Section 3 of Chapter II of Annex II, in the format indicated therein, to the primary repository contracted by them. All other economic operators shall transmit the information listed in point 3.7 of Section 3 of Chapter II of Annex II, in the format indicated therein, via the router.

5 For dispatch and trans-loading of unit or aggregated packaging of tobacco products with total weight below 10 kg destined outside the Union, Member States in which the dispatch facility is located may allow the recording obligation referred to in paragraph 1 in points (c) to (e) to be discharged by means of providing access to the logistic or postal operator's own track and trace system records.

6 If following the application of the unique identifier tobacco products are destroyed or stolen, economic operators shall promptly transmit a deactivation request in accordance with the scope and format specified in point 2.3 of Section 2 of Chapter II of Annex II.

7 The information concerning the event shall be deemed to have been transmitted correctly upon the positive acknowledgement by the primary repository or the router. The

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acknowledgement shall include a message recall code to be applied by the economic operator if the original message needs to be cancelled.

Article 33

Recording and transmission of transactional information

1 To allow the determination of the transactional information referred to in Article 15(2), points (j) and (k) of Directive 2014/40/EU, economic operators shall record the following events:

- a issuing of the order number;
- b issuing of the invoice;
- c receipt of the payment.

2 Manufacturers and importers shall transmit the information listed in Section 4 of Chapter II of Annex II, in the format indicated therein, to the primary repository contracted by them. All other economic operators shall transmit the information listed in Section 4 of Chapter II of Annex II, in the format indicated therein, via the router.

3 The responsibility for recording and transmitting the information referred to in paragraph 2 shall lie with the vendor.

4 The information referred to in paragraph 2 shall be deemed to have been transmitted correctly upon the positive acknowledgement by the primary repositories or the router. The acknowledgement shall include a message recall code to be applied by the economic operator if the original message needs to be cancelled.

Article 34

Time frame for transmission of required information

1 Economic operators shall transmit the information referred to in Article 32(1) points (a), (b) and (d), Articles 32(3) and (4), and Article 33(1), within 3 hours from the occurrence of the event. The information referred to in Article 32 shall be transmitted in the order of the occurrence of the events.

2 For the purposes of paragraph 1, the events referred to in Article 33 shall be deemed to occur at the moment when they can be associated with the relevant unit packets for the first time.

3 Economic operators shall transmit the information concerning the dispatch of tobacco products from a facility and trans-loading referred to in Article 32(1) points (c) and (e), within 24 hours prior to the occurrence of the event.

4 By way of derogation from paragraph 1, economic operators may transmit the information referred to in Article 32(1) points (a), (b) and (d), Articles 32(3) and (4), and Article 33(1), within 24 hours from the occurrence of the event, if they fulfil any of the following conditions:

- a they, or where applicable, the group of undertakings to which they belong, handled less than 120 million unit level UIs at Union level during the previous calendar year;
- b they are small and medium enterprises within the meaning of Commission Recommendation 2003/361/EC.

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5 Paragraph 1 shall apply from 20 May 2028. Until that date all economic operators may transmit the information referred to in paragraph 1 within 24 hours from the occurrence of the event.

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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\(a\)\(v\)](#)