

(English version)

**Question for written answer E-002498/23
to the Commission
Nicolás González Casares (S&D)
(31 August 2023)**

Subject: Lack of EU regulation of nicotine pouches and a nicotine-addicted generation

Current EU legislation prohibits the sale of tobacco products for oral use, like snus, except in Sweden. However, this ban does not apply to similar products that do not contain tobacco but do contain nicotine, including in very high doses, such as nicotine pouches, which are mainly sold by large tobacco companies. They have become a lot more popular in recent years and the Member States have taken very different regulatory approaches: from banning them completely — as in Belgium and the Netherlands — to allowing them to be sold without any restrictions whatsoever.

Nicotine is highly addictive and can reach even higher blood concentrations in these new products than in traditional cigarettes. This, combined with the fact that flavourings are added to them and they are cheaper than cigarettes, means that they pose a particular risk to the health of younger generations.

In view of the above:

1. Does the Commission intend to regulate these products at EU level?
2. Does it consider that the inaction and lax approach to regulating these products, which are helping to create a nicotine-addicted generation, are compatible with the objective of a tobacco-free generation?

Submitted: 31.8.2023

**Answer given by Ms Kyriakides on behalf of the European Commission
(25 October 2023)**

The growing popularity of nicotine pouches raises serious public health concerns and represents an increasing challenge for the internal market. Nonetheless, tobacco-free nicotine pouches are currently outside the scope of the Tobacco Products Directive 2014/40/EU (TPD) ⁽¹⁾.

The tobacco legislative framework (including the TPD, Tobacco Advertising Directive 2003/33/EC ⁽²⁾ and other related tobacco control policies across the EU) is subject to an ongoing evaluation process. A public consultation opened between February and May 2023 attracted more than 17 725 responses ⁽³⁾.

Major stakeholders and the Members States had further opportunity to submit their views and experience in the subsequent targeted consultation.

The consultation process has also included workshops with the stakeholders on 2, 5 and 6 October 2023. The information collected will be the basis for the Commission Staff Working documents and the next steps will be decided based on the results of this evaluation.

The regulation of emerging products, such as nicotine pouches, is at the core of the ongoing evaluation in line with the objective of the ‘Tobacco-free generation’ to better protect citizens’ health and, in particular, young people from the risks derived from tobacco and related products.

⁽¹⁾ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AJOL_2014_127_R_0001

⁽²⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32003L0033>

⁽³⁾ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13481-Evaluation-of-the-legislative-framework-for-tobacco-control/public-consultation_en