

EN

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Answer given by Ms Kyriakides  
on behalf of the European Commission  
(16.2.2023)

The Commission is evaluating the Tobacco Products Directive 2014/40/EU<sup>1</sup>, as indicated in the Europe's Beating Cancer Plan implementation roadmap<sup>2</sup>. In this context, any scientific, technical and market developments concerning novel and emerging nicotine and tobacco products will be carefully considered, including experience from other jurisdictions. The evaluation and any next steps decided upon its findings, will be carried out in line with the better regulation principles.

Given the novelty of some products and still evolving evidence, the risk assessment of emerging products will be extensively deliberated throughout the process by considering, among others, gateway effects, safety aspects, as well as addiction and attractiveness properties<sup>3</sup>. The consumption of e-cigarettes is not limited to established smokers<sup>4</sup>, with a high level of experimentation observed among young people.

The assessment on the revision of Directive 2011/64/EU on the structure and rates of excise duty applied to manufactured tobacco<sup>5</sup> is currently being finalised. It aims to ensure the proper functioning of the internal market, by adapting the rules to new developments and market trends while closing possible loopholes in the EU excise system.

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<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0040>

<sup>2</sup> Europe's Beating Cancer Plan: Implementation Roadmap - Updated version January 2022;  
[https://ec.europa.eu/health/system/files/2022-01/2021-2025\\_cancer-roadmap1\\_en\\_0.pdf](https://ec.europa.eu/health/system/files/2022-01/2021-2025_cancer-roadmap1_en_0.pdf)

<sup>3</sup> Scientific Committee on Health, Environmental and Emerging Risks (SCHEER) 2021;  
[https://health.ec.europa.eu/other-pages/health-sc-basic-page/final-opinion-electronic-cigarettes\\_en](https://health.ec.europa.eu/other-pages/health-sc-basic-page/final-opinion-electronic-cigarettes_en)

<sup>4</sup> I.e. their use of these products comes on top of their traditional tobacco product consumption with large proportion of e-cigarette users end up being 'dual users'; <https://op.europa.eu/en/publication-detail/-/publication/2f01a3d1-0af2-11e8-966a-01aa75ed71a1/language-en>

<sup>5</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0064&from=en>