

## Regulation of smokeless tobacco in the European Union

ESTOC, European Smokeless Tobacco Council, was established in 1989 and represents the interests of smokeless tobacco manufacturers and distributors as well as tobacco trade associations. We monitor all smokeless tobacco related issues, including the latest scientific developments at a European and global level.

ESTOC's objective is to secure the ability to sell smokeless tobacco products that comply with applicable regulatory frameworks in Europe and in other parts of the world.

In the EU, the placing on the market of tobacco for oral use, except those intended to be smoked or chewed, is prohibited. The prohibition was introduced by Tobacco Products Directive 92/41/EEC amending Directive 89/622/EEC and since snus is neither smoked nor chewed, snus is banned. However, there is a notable exception: the use of snus in Sweden was considered to be significant enough to grant Sweden an exemption to the ban when Sweden joined the EU in 1995.

Swedish snus is the only product that is sold and consumed in one member state, but still cannot be sold in the rest of the EU. This anomaly persists since EU regulation is based on an outdated distinction between different types of oral tobacco and not at all on product quality standards, scientific data and risk assessment.

ESTOC believes that the current definition of smokeless tobacco in the Tobacco Products Directive 2001/37/EC is unscientific and should be replaced with a mandatory quality standard. The document "*ESTOC proposed regulation of smokeless tobacco products within the EU*" is publicly available on [www.estoc.org](http://www.estoc.org). Reliance on a science-based approach will help alleviate current and future discriminatory trade practices.

There is a growing consensus among scientists that the use of smokeless tobacco as manufactured in Scandinavia is less harmful than smoking (Snus is the most common form of smokeless tobacco in Scandinavia). In their report 'The scientific basis of tobacco product regulation', the the World Health Organisation Study Group on Tobacco Product Regulation state: "*There is little question that, in general, smokeless tobacco products are less harmful than combusted tobacco products such as cigarettes*".

In 2001 the EU also changed the warning label on smokeless tobacco products from "*Causes Cancer*" to "*This tobacco product can damage your health and is addictive*", simply because science could not back the cancer warning.

In October 2007, the European Parliament adopted a report on a Europe Free from tobacco smoke, which called on the Commission to 'urgently investigate the health risks associated with consumption of snus and its impact on the consumption of cigarettes.'

The European Commission's Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR) produced a scientific report\* on the health effects of smokeless tobacco products, with particular focus on Swedish snus. The report was published on 18th February 2008 and reached a number of significant conclusions:

- "*Marketed STP (smokeless tobacco products) vary considerably in form and content of toxicants, including nicotine, and thereby in associated health effects which have been documented across countries.*" (pg 105)
- Snus use is not a risk factor for oral cancer. (pg 113 & 120)
- The Swedish data "*do not lend much support to the theory that smokeless tobacco (i.e. Swedish snus) is a gateway to future smoking. In the USA, the interpretation of two studies is divergent...*" (pg 108)
- "*Availability of snus and the way in which it has been used may have been beneficial to public health since the harm to health caused by any use of snus as a gateway into smoking may have been more than outweighed numerically by the numbers quitting smoking for snus*" (pg 116)
- Observational data from Sweden indicate that "*snus has been used more often than pharmaceutical nicotine products by some men as an aid to stop smoking*" (pg 110)
- Overall, snus use poses substantially lower health risks than cigarette smoking (pgs 114/115)
- According to a study cited in the SCENIHR opinion, snus is "*likely to be approximately 90% less harmful than smoking*" (pg 115)
- SCENIHR's conclusions included that "*...for those who substitute smoking by STPs the benefits outweigh the risks*" (pg 118)

Scientific studies support the ESTOC position. Some key documents are:

- European Union policy on smokeless tobacco: a statement in favour of evidence based regulation for public health, C Bates, K Fagerström, MJ Jarvis, M Kunze, A McNeill and L Ramström, *Tob. Control* 2003;12;360-367 ([http://www.starscientific.com/404/Bates, Fagerstrom et al European Union Policy.pdf](http://www.starscientific.com/404/Bates,Fagerstrom%20et%20al%20European%20Union%20Policy.pdf))
- Snus – What should the public health response be? J Foulds and L Kozlowski, *The Lancet* 2007: 369 (9578); 1976-8 (<http://www.tobaccoprogram.org/pdf/snus-response-lancet07.pdf>)
- Karl Erik Lund (2009). A tobacco-free society or tobacco harm reduction? Which objective is best for the remaining smokers in Scandinavia? SIRUS Report No. 6/2009. Norwegian Institute for Alcohol and Drug Research. (<http://www.sirus.no/files/pub/484/sirusrap.6.09.eng.pdf>)
- The potential role of snus in tobacco harm reduction. *Addiction* 2009; Coral E Gartner, Wayne D Hall (2009). (<http://www3.interscience.wiley.com/cgi-bin/fulltext/122529076/PDFSTART>)

**In the event you would like to know more about the snus related science or the policy discussions currently taking place in Europe, please do not hesitate to contact us.**

\* [http://ec.europa.eu/health/ph\\_risk/committees/04\\_scenihr/scenihr\\_cons\\_06\\_en.htm](http://ec.europa.eu/health/ph_risk/committees/04_scenihr/scenihr_cons_06_en.htm)

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