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Submission to the consultation for a further amendment to the Tobacco and Related Products Order prohibiting all non tobacco nicotine products for “oral use”, particularly pouches (portions, pouches, nic-pouches, non-tobacco snus, all white snus etc.)

Preamble:

INNCO is a global community of ex-smokers helping smokers quit and defending the rights of 115 million adult People Who Use Safer Nicotine (PWUSN) to avoid toxic forms of tobacco. In our view, current global efforts to prevent or discourage the 1.3 billion people who use toxic forms of tobacco from seeking safer alternatives is a form of mass murder. Safer nicotine alternatives include TPD products such as nicotine patches, nicotine gum, nicotine lozenges, prescription nicotine inhalers, nicotine vapes, snus (inexplicably banned in the EU), nicotine pouches and HTPs. Because every smoker is different, prohibiting any of these smoking cessation options is profoundly harmful to public health.

We note that the US Food and Drug Administration (FDA) has now authorized 8 snus, 2 HTP and 23 nicotine vape products as “appropriate for the protection of public health.” It now allows the maker of those snus products to tell customers the truth: switching completely from smoking to this product will lower your risk of cancer, heart and lung disease. By doing this, also the FDA has recognized and legitimized tobacco harm reduction.

We understand that the Government of The Netherlands is now considering a proposal to prohibit one of these safer nicotine alternatives: nicotine pouches. These are snus-like smokeless oral nicotine products. Unlike snus, they do not contain tobacco. Only harmless cellulose, nicotine, and the harm-free flavourings that are used in chewing gum. There is no biologically plausible reason to believe that nicotine pouches are any more harmful than nicotine gum, which has been available in every pharmacy in the Netherlands for decades now.

The stated reasons for this proposed prohibition include the remote possibility that some teens may use them and/or subsequently turn to smoking combustible cigarettes at some time in the future. INNCO believes strongly that teens should not use nicotine. But we note (a) there is no evidence snus is a gateway to smoking, and (b) teen use of nicotine gum - which is, literally, a candy - is non-existent. Other reasons for the proposed prohibition include false claims concerning nicotine, so let us clear those up here.

Nicotine patches and gum have been used by millions of smokers for more than three decades now. Post-marketing surveillance in the US, UK and EU shows that these products do not cause cancer, heart or lung disease (even in ex-smokers who continue to chew nicotine gum for decades). According to the FDA, nicotine patches and gum are “[not dependence-forming or subject to abuse](#).”

According to the WHO’s [International Agency for Research on Cancer](#) (IARC), and the [US Centers for Disease Control and Prevention](#) (CDC) nicotine does not cause cancer. The CDC says “[using a nicotine medicine \[e.g., nicotine patch or gum\] is much less likely to cause heart disease than continued smoking](#).” Finally, it should be obvious that products you don’t inhale will not cause emphysema or chronic obstructive pulmonary disease.

Combustible tobacco cigarettes shorten the lives of 50% of lifelong smokers by 10 years. Of these premature deaths, 36% are due to cancer (29% lung cancer); 36% due to cardiovascular disease including stroke; and 21% due to lung disease, primarily Chronic Obstructive Pulmonary Disease.

We are aware that certain people and organizations are now making demonstrably false claims that nicotine causes cancer, heart and lung disease. We urge the Government of The Netherlands to question these wildly false claims and the motivations (and funding) of anyone who is making these claims.

The death toll from toxic forms of tobacco is horrendous. To reduce this death toll, people who use toxic products must be encouraged to quit or switch to safer alternatives. To boost switch rates, these alternatives must be appealing to smokers. And smokers need to be accurately informed of the relative risks. Finally, the safer alternatives must be available. Prohibition obviously prevents that.

To save lives, safer nicotine alternatives must be Acceptable, Affordable and Available to people who use toxic forms of tobacco. These “three ‘A’s” guide all efforts to ensure access to life-saving drugs and vaccines in low-income countries. They should also guide all regulatory efforts to reduce the horrendous toll of death and disease from smoking.

Finally, no policy decision affecting smokers or People Who Use Safer Nicotine (PWUSN) should be made without first consulting with the people who will be affected by that policy. We are those people. Smokers’ access to harm reduction alternatives is a human right, a social justice imperative and a life-or-death policy issue.

INNCO wishes to thank the Government of The Netherlands for the opportunity to express our views on this important public health policy proposal. We believe that prohibiting products that could save the lives of tens of thousands of your citizens would be seen, by future health historians, as mass murder..

About us: *INNCO is a global community of ex-smokers helping smokers quit, and defending the rights of 112 million People Who Use Safer Nicotine (PWUSN). We believe that current global efforts to deny 1.3 billion people — who use toxic forms of tobacco — access to safer nicotine alternatives is a form of mass murder. Safer alternatives include nicotine patches, nicotine gum, nicotine lozenges, prescription nicotine inhalers, nicotine pouches, nicotine vapes, snus and heated tobacco products. Almost all of us have lost a loved one to smoking. Almost all of us experienced health improvements after we quit smoking. This is neither a game nor a personal affectation. Access to harm reduction is a human right, a social justice imperative, and a life-or-death issue. INNCO is a non-profit alliance of 37 independent volunteer-led Member Organizations around the world. We are funded by individual in-kind contributions and small donations from thousands of adult ex-smokers. INNCO’s Secretariat (but not our Member Organizations or Governing Board) is supported by a grant from the Foundation for a Smoke-Free World (FSFW), a US non-profit 501(c)(3) private foundation with a mission to end smoking in this generation. FSFW accepts charitable gifts from PMI Global Services Inc. (PMI). Under FSFW’s Bylaws and Pledge Agreement with PMI, FSFW is independent from PMI. INNCO’s work is, in turn, independent of the Foundation. We are transparent about this. We were founded in 2016, two years before FSFW came into existence. Our mission, purpose and goals are driven solely by our Members and Governing Board. Our Member Organizations are led by unpaid volunteers who, as a condition of membership, accept no funding from cigarette makers. In contrast, numerous organisations around the world oppose safer nicotine alternatives. Many, if not most, are funded by wealthy harm reduction deniers. None declare this as a conflict of interest (COI). And that is a profound violation of public trust. The contents, selection and presentation of facts in this document are the sole responsibility of the author.*