



SCANDINAVIAN TOBACCO GROUP

Copenhagen
15 January, 2023

Via electronic submission to:
www.internetconsultatie.nl/nicotineproducten/reageren

Dear Sir or Madam,

Scandinavian Tobacco Group (STG) is a leading manufacturer of cigars, pipe tobacco, fine cut tobacco and, as of September 2022, a supplier of non-tobacco nicotine pouches.

STG wishes to register our firm opposition to the government's plan to ban nicotine pouches. While we believe that regulating nicotine pouches under the 'tabaks- en rookwarenwet' could be a potentially positive step, STG considers a full-out ban on nicotine pouches to be neither proportionate nor evidence-based.

Nicotine pouches have been available in some EU markets since 2018 and have established themselves as an accepted alternative to traditional oral and nasal tobacco products. Regulation of nicotine pouches across the EU varies considerably among Member States and, like e-cigarettes, nicotine pouches have until now been legal in the Netherlands, though their nicotine content threshold has been set at a level so low as to constitute a near de-facto ban.

This approach has led to the consequence that most nicotine pouches are purchased by Dutch consumers outside The Netherlands. A full-out Dutch ban on nicotine pouches would thus arguably be of only limited effect and would raise serious questions regarding not only effectiveness but also enforcement.

STG supports a pragmatic approach to nicotine pouch regulation, allowing for their legal manufacture, sale, and use as a "tobacco-like" product, like the approach taken by the Dutch government in regulating e-cigarettes, and similar to the approach already taken by 7 other EU Member States in allowing nicotine pouches on their markets. In taking this alternative approach, the Dutch government could ensure:

- an evidence-base maximum nicotine content threshold per pouch;
- appropriate health warnings and contents labelling;
- a consistent approach to ingredients; and,
- clear prohibitions regarding point of sale to minors.

This approach could also serve as a bridge to a future EU-wide regulatory regime for nicotine pouches, allowing for a fully harmonized approach among all EU Member States. Denmark, Sweden and the Czech Republic have already integrated regulation of nicotine pouches within their laws implementing the Tobacco Products Directive, while also levying excise tax.