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NOTE

From: General Secretariat of the Council
To: Council

Subject: **Strengthening efforts to protect children from direct marketing and sale of tobacco and nicotine products, especially on digital platforms**
- Information from the Danish delegation on behalf of the Danish, Estonian, Finnish, French, German, Irish, Luxembourg, Maltese, Netherlands, Polish, Slovenian and Spanish delegations

Delegations will find in Annex an information note from the Danish delegation on behalf of the Danish, Estonian, Finnish, French, German, Irish, Luxembourg, Maltese, Netherlands, Polish, Slovenian and Spanish delegations on the above mentioned subject to be raised under “Any other business” at the meeting of the EPSCO Council (Health) on 21 June 2024.

AOB EPSCO (Health) Council 21 June 2024

Strengthening efforts to protect children from direct marketing and sale of tobacco and nicotine products, especially on digital platforms

Information from Denmark on behalf of Denmark, Estonia, Finland, France, Germany, Ireland, Luxembourg, Malta, the Netherlands, Poland, Slovenia and Spain

As a society we are responsible for ensuring the best possible framework for our children and young people that allows them to develop and grow and live their lives to the full. Tobacco and nicotine products are not compatible with such a framework.

Tobacco kills. It is highly addictive and its use over time is deadly. Despite all our efforts tobacco remains the single greatest cause of premature death in the EU. Lifelong addiction resulting in early death is what tobacco offers its users. This is not the prospect we should be offering to so many of our young people today.

New research shows that nicotine itself is a health hazard, especially for young people. Nicotine consumption affects the brain and results in problems with concentrating and learning new skills - something which is essential for young people. Furthermore, nicotine can affect the mental well-being of our children, causing depression and making them prone to anxiety. Children and adolescents are more sensitive to the negative side effects of nicotine consumption and are also more prone to addiction than adults¹.

¹ [Brug af røgfrie nikotinprodukter blandt unge \(sst.dk\)](https://sst.dk)

In recent years, the choice of tobacco and nicotine products has grown exponentially and many are explicitly marketed to appeal to children and adolescents – for example with flavours of watermelon, strawberry, gum, chocolate etc. They are packaged and presented almost as if they were sweets and they are readily available for young people. Common for these products is that the majority contains nicotine – some with extremely high amounts. A highly addictive substance as nicotine that is a health hazard is being aggressively marketed towards our children. This tactic is working. The early onset of nicotine addiction via attractive products for young people will often lead to life-long nicotine use inclusive the switch to tobacco products as cigarettes. A recently published report² shows that the number of children and young people being introduced to nicotine is increasing as is consumption of a broad range of tobacco and nicotine products.

We are very concerned about the developments we see in marketing and sales of new tobacco and nicotine products. Many member states have already taken steps nationally to combat increasing nicotine addiction amongst children and young people. Initiatives to regulate these products and make them less attractive and accessible for children have been introduced, but tobacco and nicotine products are not limited by borders and national regulations. They are easily accessible on the internet and from countries that have not developed a legal framework for such products. We need an ambitious European solution if we are to address this problem efficiently and to protect our children and young people from the harmful effects of nicotine and products that, in addition, can be a gateway for tobacco products.

² [§RØG – En undersøgelse af tobak, adfærd og regler \(sst.dk\)](#)

We must set a high bar and future-proof the tobacco legislation to ensure that both new and future products fall within the regulatory scope and that social media providers take greater responsibility for marketing and sale of tobacco and nicotine products on their platforms, especially aimed at children. Initiatives should include a ban on flavours in nicotine products, a limit on nicotine content in these products and, where necessary, a ban on certain products. We must do this to protect our children from falling prey to addiction to nicotine. We are therefore calling on the new European Commission to act and to put forward proposals as soon as possible to help us protect our children and young people from the harmful effects of tobacco and nicotine products. More broadly, we are calling the Commission to initiate a debate on nicotine-based products, while allowing it to examine the range of possible regulations, which could make it possible for Member States to ban defined product categories as well.
