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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	AOB for the meeting of EPSCO (Health) of 20 June 2025: A continued and urgent call for action at EU level to protect young people from harm caused by novel tobacco and nicotine products, in particular e-cigarettes and nicotine pouches - Information from Belgium, Croatia, Estonia, Finland, France, Ireland, Latvia, Lithuania, Malta, the Netherlands, Slovenia and Spain

On March 13 2025, a joint letter was sent by Belgium, Estonia, Finland, France, Ireland, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Slovenia and Spain. The letter was addressed to the new EU Commissioner for Health and Animal Welfare, Mr. Várhelyi, and is included as an annex to this statement.

These countries express their concern over the delay in the revision of EU tobacco legislation and urge the Commission to act swiftly to protect youth from the growing threat of tobacco and nicotine products. We request that the use of novel products will be addressed swiftly and included in EU legislation.

Urgent action is needed to address the following core concerns:

- **Youth nicotine use:** the use of nicotine products without tobacco, particularly e-cigarettes and nicotine pouches, has increased across the EU, especially among very young people. Many of these products contain high levels of nicotine and are explicitly designed to appeal to children and adolescents, causing serious health problems.
- **Cross-border online sales:** These products are easily accessible via the internet and sold cross-border through mail or parcel post undermining national efforts to restrict access to these products.
- **Social media marketing:** Social media companies fail to implement preventive measures to protect young people from this harmful content.

The signatories request prompt action in 2025 on comprehensive legislation, including flavor bans, plain packaging, cross-border sales restrictions, and accountability and engagement of social media platforms.



Ministry of Health, Welfare and Sport

> Return address Postbus 20350 2500 EJ Den Haag

European Commission
To the Commissioner for Health and Animal Welfare, Mr Várhelyi
Wetstraat 200
1049 Brussels
Belgium

Directorate-General for
Nutrition, Health
Protection and Prevention
P.O. Box 20350
2500 EJ The Hague

Our reference
4075873-1079937-VGP

Date
March 13, 2025

Date **21 MAART 2025**
Subject Joint letter EU Tobacco Control

Dear Commissioner Várhelyi,

First of all, I would like to congratulate you with your newly acquired position as EU Commissioner for Health and Animal Welfare. We are delighted that you have voiced your ambition as regards to tobacco and nicotine products. In this position you have the opportunity to make a difference to the lives of millions of EU citizens and improve the health of our children, who grow up in Europe.

One of your major tasks is to step up the work on preventive health, ensuring a comprehensive approach to health promotion and disease prevention across the life course. As part of this, the implementation of the European Beating Cancer Plan must be ensured and the publication of announced legislative proposals must be prioritized, especially those on tobacco control.

More specific, the Member States signing this letter are concerned with the staggering progress of the revision of the European tobacco legislation; the Tobacco Products Directive, the Tobacco Advertisement Directive, and Tobacco Taxation Directive. The original roadmap under the European Beating Cancer Plan stipulated that the Commission proposals were foreseen for 2022 (Tobacco Tax Directive) and 2024 (Tobacco Products Directive). We are concerned with the fact that there is no foreseen date in the near future for the revisions in the updated roadmap. We urge you to publish these legislative proposals in 2025 and assure they are aligned.

This letter aims to bring to your attention the urgent issues regarding tobacco and nicotine products and their impact on young people. Therefore, we have listed three urgent issues for the Commission to take action upon. We kindly request you to consider these.

Increasing use of new nicotine products among youth

In recent years, the use of nicotine products without tobacco, particularly e-cigarettes and nicotine pouches, has increased across the EU, especially among



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young people.^{1 2 3 4 5} Many of these products contain high levels of nicotine and are explicitly designed to appeal to children and adolescents, featuring attractive packaging and containing enticing flavors. The market for nicotine products is growing rapidly and is driven by marketing strategies that specifically target a younger audience.

The World Health Organization has highlighted the need for urgent action to control nicotine products such as e-cigarettes, emphasizing that they have not been proven effective as a tool for quitting tobacco use at the population level. Instead, there is alarming evidence of their negative impact on public health.⁶ Given the dynamic nature of the nicotine product market and the constant development of new products, it is crucial that the Commission creates future-proof legislation to regulate all nicotine products. A regulatory framework must be provided where baseline legislation enters into force as soon as new tobacco, nicotine or similar products appear on the market.

Therefore, we call upon the Commission to develop, propose and implement future-proof EU legislation to reduce the attractiveness of e-cigarettes and other emerging nicotine products (like nicotine pouches), especially to young people. These regulations should include comprehensive restrictions on flavors, maximum nicotine levels and plain packaging. Moreover, fast response tools should be included to enable for specific product bans or regulations throughout the EU. This could empower us to act more proactively instead of lagging behind the market dynamics.

Cross-border distance sales

Tobacco products, e-cigarettes, and other nicotine-containing products are part of the internal market and must be regulated in a manner that safeguards public health policies of Member States. Although several Member States have already introduced regulatory measures for tobacco and nicotine products at the national level in order to make them less attractive and less accessible for young people (e.g. through a national ban on cross-border distance sales) tobacco and nicotine products are not stopped by borders and national regulations. These products are easily accessible via the internet and sold cross-border through mail or parcel post, not only from Member States that have not established a legal framework for such products, but also from countries outside the EU. The online sale and cross-border trade of tobacco and nicotine products undermine national efforts to restrict access to these products.

¹ Latvian pupils health habits study. Surveys for the school year 2022/2023 results and trends -<https://www.spkc.gov.lv/lv/media/21564/download?attachment>

² The Latvian Health Behaviours Survey for 2022 -<https://www.spkc.gov.lv/lv/veselibu-ietekmejos-paradumu-petijumi#latvijas-iedzivotaju-veselibu-ietekmejos-paradumu-petijums>

³ VAD-Leerlingenbevraging. Syntheserapport schooljaar 2022-2023. (p21-22)

⁴ Jongerenmonitor tabaks-en nicotineproducten, Trimbos, Oktober 2023.

⁵ SRØG – en undersøgelse af tobak, adfærd og regler, Statens Institut for Folkesundhed, 2023, rapport 5.

⁶ Urgent action needed to protect children and prevent the uptake of e-cigarettes, WHO news release, 14 December 2023.



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Since it is necessary to prevent especially young people from accessing these harmful products through online channels, we call upon the Commission to adopt proposals to effectively tackle challenges and problems related to cross-border distance sales within the EU Member States.

Responsibility social media platforms

It is crucial that social media platforms take greater responsibility and will be held accountable for the marketing and sales of tobacco and nicotine products on their platforms, especially when marketing is targeted at children. Social media companies contribute to the increasing popularity of tobacco and nicotine products among young people by enabling the promotion and sales of these products, yet fail to implement preventive measures to protect young people from this harmful content.

Therefore, we call upon the Commission to take action in collaboration with social media platforms and through targeted measures in order to pro-actively remove content from their platforms. Moreover, it is important to prevent uploading content on their platforms that is aimed at selling or marketing tobacco and nicotine products before (or immediately after) the content is being aired.

In conclusion, the delay of the revision of the European tobacco control legislation is harmful considering the rapidly evolving market of tobacco and nicotine products. Therefore, we call upon you, the new Commissioner for Health and Animal Welfare, to prioritize and allocate the resources needed to the revision of the European tobacco control legislation and speed up the process in order to have Commission proposals adopted in 2025. The revised legislation must be ambitious and encompass all new and future tobacco and nicotine products. We encourage you to take swift and decisive action to protect the health of our youth and to create a smoke-free generation by 2040.

Kind

Vincent Karremans
Minister for Youth, Prevention and Sport

Also, on behalf of the following Ministers listed in alphabetical order of the countries they represent:

Belgium

Frank Vandenbroucke
Deputy Prime Minister and Minister of Social Affairs and Public Health

Estonia

Signe Riisalo
Minister of Social Protection

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Finland
Sanni Grahn-Laasonen
Minister of Social Security

France
Yannick Neuder
Minister for Health and Access to Care

Ireland
Dr. Jennifer Carroll MacNeill TD
Minister for Health

Latvia
Hosams Abu Meri
Minister for Health

Lithuania
Marija Jakubauskienė
Minister of Health

Luxembourg
Martine Deprez
Minister of Health and Social Security

Malta
Jo Etienne Abela
Minister for Health and Active Ageing

Slovenia
dr. Valentina Prevolnik Rupel
Minister of Health

Spain
Minister Mónica García Gómez

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