



## **Swedish snus and the internal market**

Swedish snus is a smoke free tobacco product enjoyed mainly in Scandinavia and North America.

Even though it exist a large number of different smoke free tobacco products (all unregulated), snus is the only product that is banned in the EU (with the exception of Sweden). This means that any EU country is allowed to market their smoke free products in Sweden, while snus can't be sold anywhere but in Sweden.

According to research, snus is among the tobacco products with the lowest levels of tobacco related toxic components and it is the least harmful of tested products.

In the EU similar situations must not be treated differently (the principle of non-discrimination). If two products are alike they must be dealt with in the same way. The ban on snus is a breach of this principle as snus is forbidden, while all other similar products, such as chewing tobacco, are permitted.

Measures taken to protect public health can't go beyond what is necessary to achieve this objective (the principle of proportionality). A ban on snus does not protect health, as more harmful chewing tobacco is sold legally in the EU. A restriction on one product will not be proportionate unless same restrictions apply on similar products from other countries. All EU countries can sell tobacco products and cigarettes in Sweden, while the least harmful product, snus, is forbidden in all EU countries.

If there is supposed to be an internal market and free movement of goods, all obstacles to trade must be removed. Persons in different countries must be able to make choices and enjoy the benefits of that market. The ban on snus is not justified by health arguments. Sweden is supposed to keep its door open for all unregulated tobacco products. This is a clear breach of the principle of free movement of goods.

## **Conclusion**

The ban on snus is a breach of the principles of non-discrimination, proportionality and free movement of goods.

All smokeless products available in the EU should be regulated and fulfill certain requirements. Consumers have the right to know what is in the products they buy, and they have the right to make their own choice.