



What is Swedish snus?

Swedish snus is a smoke free tobacco product enjoyed mainly in Scandinavia and North America. It comes either loose or in small sachets (like small teabags) and is placed between the upper lip and gum

Snus is selling more and more, to a large degree at the expense of cigarette smoking. Several studies report that Swedish snus is a commonly used smoking cessation aid.

Apart from Swedish snus, it exists a large number of different smoke free tobacco products in the EU. It is very difficult to find reliable figures concerning the size of the smoke free tobacco market, as the products remain for the most part unregulated. About 30 million people in the EU have tested smokeless tobacco products, and it is consumed in the majority of the European countries. Products among others are dry snuff, nasal snuff and chewing tobacco.

The levels of tobacco toxins vary substantially between the different products. According to all research available, Swedish snus is among the products that contain the lowest levels of tobacco related toxic components.

Of the above mentioned smoke free products, Swedish snus is the only one that is not allowed in the EU (with the exception of Sweden). All the other products are largely left outside current European regulation despite the fact that they are legally sold in the EU.

Why is Swedish snus treated differently?

In the 1980's a snus like product was introduced in the UK and Ireland. After intensive debate snus was banned in Ireland with the arguments that it caused cancer and was aimed at young people. The EU found that the ban of snus in one member state posed a threat to the internal market. Only by banning snus in the whole EU could one say that the market was harmonized.

In 1992 EU adopted legislation that prohibits tobacco for oral use, except those intended to be smoked or chewed. As Swedish snus is neither smoked nor chewed it is prohibited. However, the ban did not cover *traditional* oral tobacco (snus was not considered traditional even though it has been consumed in Northern Europe for over 200 years). In other words, the new legislation banned Swedish traditional snus, but allowed other unregulated products that are more harmful.

Since 1992 significant amount of scientific research has been conducted on the health risks posed by snus and oral smokeless tobacco products. It is clear that the health risks vary considerably between the different products. It is also clear that Swedish snus is considered being among the least harmful products. There is today no evidence for the opinion that it is a risk factor for cancer. There is no confirmation of the view that snus is a particularly attractive product for young people.

Conclusion

If the current scientific evidence were available at the time of the adoption of the Tobacco Directive it is most likely the ban on snus would be annulled for breach of the requirement to give reasons and breach of the principles of non discrimination, proportionality, and free movement of goods

- **The current EU ban on Swedish snus on the internal market lacks a justified reasoning and is both discriminatory and disproportionate.**
- **The current EU ban on Swedish snus is a violation of the free trade principle and distorts the function of the internal market.**
- **The ban on snus denies adult European smokers access to a traditional and viable non-combustible tobacco alternative that is scientifically well-documented.**
- **All smokeless tobacco products should be subject to a consistent and non-competitive product regulation based on product quality and consumer protection.**