

10. March 2026

A Nordic perspective on the EU nicotine framework – protecting youth, reducing smoking-related harm and disrupting illicit markets

Dear President von der Leyen,
Dear Commissioner Várhelyi,

We write on behalf of the Nordic Smoke-Free Nicotine Associations, representing regulated smoke-free nicotine product sectors in Sweden, Finland, Denmark and Norway. Together, our organisations bring experience from diverse regulatory environments across the Nordic region.

We are responding to the recent letter from the Nordic Cancer Union concerning the revision of the **Tobacco Products Directive (TPD)**, the **Tobacco Advertising Directive (TAD)** and **developments under the Tobacco Taxation Directive (TTD)**. We fully share the overarching objectives expressed in that letter: reducing smoking-related cancer and premature deaths, protecting minors from nicotine use, and addressing illicit trade.

Public health, youth protection and the fight against organised crime are common European priorities. However, based on the varied but highly instructive Nordic experience, we believe that the effectiveness of future EU policy will depend not only on ambition, but on regulatory precision. A carefully balanced and risk-proportionate framework, one that accelerates the decline of combustible smoking while preventing the unintended expansion of illicit markets, is essential to achieving the Union's health and enforcement objectives.

In light of the ongoing legislative work, we respectfully offer the following Nordic perspective.

1. The primary public health objective: reduce smoking

The most significant health burden stems from combustible cigarette smoking. International public health analysis, including assessments by the [UK Royal College of Physicians \(2019\)](#) and [Bundesinstitut für Risikobewertung \(2022\)](#), has concluded that providing nicotine without combustion – which is the core principle of tobacco harm reduction – can prevent the vast majority of smoking-related harm.

This does not argue for deregulation. It argues for risk-proportionate regulation, clearly differentiating between combustible and non-combustible products, while maintaining strict protections for minors.

According to [Cancer Research UK \(2026\)](#), nicotine itself is not considered a carcinogen, and the vast majority of smoking-related cancers arise from the toxic by-products of combustion rather

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than nicotine per se. Public health research also demonstrates that widespread misunderstandings about the relative risks of different nicotine products can hinder progress in reducing smoking-related harm.

Evidence indicates: alternatives to combustible tobacco products reduce cigarette consumption.

International studies identify substantial deficiencies in public understanding of tobacco harm reduction, with many respondents incorrectly perceiving non-combustible nicotine products as being as harmful as cigarettes. The evidence further confirms that smokers who correctly understand that non-combustible nicotine products are significantly less harmful than cigarettes are two to four times more likely to use them when attempting to quit smoking. ([Kiviniemi & Kozlowski, 2015](#); [Yong, Gravelly, Borland et al., 2022](#).)

Independent chemical and biomarker studies show that smoke-free nicotine pouches contain substantially lower levels of harmful constituents than combustible cigarettes and that users exhibit markedly reduced exposure to tobacco-specific carcinogens and disease-related biomarkers, placing these products close to nicotine replacement therapies on the toxicant continuum and significantly below smoking in terms of exposure. ([Azzopardi D, Haswell LE, Frosina et al., 2022](#); [Azzopardi, Liu, & Murphy, 2021](#).)

Misperceptions about relative harm reduce the likelihood of switching away from smoking. Accurate risk communication is therefore not a peripheral issue, instead, it is directly linked to smoking cessation outcomes. Such misperceptions may discourage smokers from switching away from combustible tobacco and thereby slow reductions in smoking-related disease. Clear and evidence-based communication about relative risks is therefore an essential component of effective tobacco control policy.

While concerns about potential gateway effects are sometimes raised in uninformed public debate, several recent studies indicate that population-level trends are inconsistent with a gateway hypothesis and instead suggest that many smokers transition from combustible cigarettes to lower-risk nicotine products. Evidence also shows that greater availability of such alternatives is associated with declines in cigarette smoking and increased smoking cessation. ([Shahab et al., 2022](#); [Foxon, Selya & Gitchell et al., 2024](#); [Foxon & Siegel, 2024](#); [Selya, 2024](#).)

Sweden – Public health ambition combined with measurable results

Sweden illustrates how harm-reduction-oriented policy can produce tangible outcomes. Under Article 151 of the 1994 Treaty of Accession, Sweden maintains an exemption from the EU ban on oral tobacco (snus). Smoking prevalence in Sweden is now the lowest in the EU. With the introduction of nicotine pouches, smoking rates have declined further. Sweden now effectively has two smoke-free generations (ages 16–29 and 30–44), with daily smoking rates well below

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five percent. Sweden is on track to meet the EU's 2040 smoke-free target well ahead of schedule.

Sweden applies excise tax to both snus and nicotine pouches. Age limits are clearly defined in legislation from 2022. While there is no formal legal nicotine cap, industry standards are widely respected, and fewer than one percent of products exceed that voluntary standard. Importantly, the Swedish industry has publicly called for a legal nicotine cap and stronger underage protections.

Notably, Sweden maintains comparatively low cigarette excise taxation yet has the lowest smoking rates among the Nordic countries. The Swedish Government has explicitly stated that its policy aims to reduce smoking-related harm. The resulting decline in smoking-related disease and premature death reflects that strategic focus.

2. Overregulation can unintentionally create illicit markets

Denmark – Lessons from regulatory imbalance

Denmark illustrates the risks of regulatory imbalance without sufficient enforcement. In Denmark, youth use of nicotine products remains a concern, particularly in relation to illegal disposable vapes. At the same time, a substantial illegal market for nicotine pouches has developed both online and in physical retail.

The widespread emergence of illegal disposable vapes can be traced to flavour restrictions introduced without adequate enforcement mechanisms. Before these restrictions, the current scale of the illicit market did not exist. Regulation without enforcement created an unintended parallel market. In Denmark, cigarettes and smoke-free nicotine products are often treated as equivalent from a regulatory standpoint. This approach risks undermining public health by discouraging adult smokers from switching to significantly less harmful smoke-free alternatives.

The Danish experience demonstrates that youth protection depends not only on restrictive rules, but on effective enforcement and risk differentiation.

3. Illicit trade grows where legal channels are blocked

Norway – Demand does not disappear under prohibition

Norway is well on its way toward becoming smoke-free, largely driven by the shift from smoking to snus. However, tobacco-free nicotine pouches remain illegal for sale. Despite this prohibition, usage persists. In addition, nicotine-containing e-cigarettes are formally illegal, yet approximately 84 percent of daily e-cigarette users report using nicotine-containing products. This strongly indicates the presence of a substantial illicit market.

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Young consumers often obtain products via social media and other unregulated channels. It is unclear whether such products meet EU quality standards, as they are frequently sourced outside formal regulatory oversight. Prohibition has not eliminated demand. Instead, it has displaced it into unregulated channels.

Regular dialogue with digital platforms, stronger monitoring obligations and transparency in online advertising are critical tools to address this challenge.

4. Market fragmentation undermines harmonisation and fuels cross-border trade

Across the Nordic region and the EU more broadly, we see significant divergence:

- Some countries permit regulated sales of nicotine pouches.
- Others apply full bans.
- Tax levels vary widely.
- Import allowances differ.
- Enforcement capacity is uneven.

Within the EU's internal market framework, such divergence inevitably generates cross-border trade and informal resale networks. Where legal domestic supply is restricted or banned, demand shifts to neighbouring jurisdictions or illicit channels.

Full prohibitions do not eliminate consumption. They displace it. The EU framework should therefore avoid fragmentation and support an open, science-based discussion on regulatory coherence across Member States, ensuring that regulated legal markets can function effectively. Guaranteeing a legal market is not a commercial objective, instead, it is a public health necessity. Only within regulated channels can authorities enforce age limits, monitor product standards, collect taxes, and combat organised crime effectively.

5. The importance of market stability for smokefree nicotine products

Finland – Strict regulation and licensed legal sales

Finland has recently introduced one of the most comprehensive regulatory packages in Europe for nicotine pouches, including licensed retail sales, a ban on distance sales, strict marketing restrictions, nicotine caps, flavour limitations, packaging and labelling requirements, and significant excise increases. These reforms are still being implemented, and the market has not yet stabilised. Further national tax increases risk widening existing price differentials between neighbouring countries, particularly in markets where certain products are not legally available domestically, but consumer demand persists and cross-border purchasing is already significant.

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Finland illustrates the importance of sequencing regulatory measures carefully to avoid unintended expansion of illicit trade. At the same time, Finland demonstrates that a licensed retail system combined with effective store-level compliance and self-regulation can significantly limit underage access.

6. Europol findings and WHO FCTC Protocol – illicit trade as a public health threat

[Europol's Serious and Organised Crime Threat Assessment \(2025\)](#) highlights that excise goods are a growing focus of organised criminal networks. Countries applying high excise and VAT rates are more vulnerable to illicit trade in excise products. Where regulatory intensity significantly increases price differentials, organised actors adapt quickly. This reality must be reflected in EU policymaking.

[The WHO Framework Convention on Tobacco Control \(WHO FCTC\) Protocol to Eliminate Illicit Trade in Tobacco Products](#) further recognises illicit trade as a major threat not only to public revenues but also to public health. The Protocol emphasises coordinated enforcement, supply chain control, international cooperation and regulatory coherence as key tools to combat illicit markets.

Efforts to reduce illicit trade must therefore combine proportionate taxation, enforceable supply chain oversight and cross-border cooperation, rather than relying solely on increasing restrictions or price levels.

7. Our shared recommendations for the forthcoming EU framework

We respectfully urge the Commission to ensure that the forthcoming tobacco and nicotine framework embeds:

7.1. Protection of minors from accessing any nicotine products

- Binding obligations for digital platforms to remove illegal sellers rapidly.
- Structured cooperation between law enforcement and social media providers.
- Stronger enforcement capacity targeting illicit online distribution.

7.2. Strengthening border control and cross-border enforcement

- Intelligence-led customs cooperation.
- Coordinated action against organised criminal networks involved in excise fraud.

7.3. Risk-proportionate taxation

- Clear differentiation between combustible cigarettes and smoke-free alternatives.
- Avoidance of excessive excise levels that shift consumption into illicit channels.

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7.4. Guaranteeing a regulated legal market for smoke-free nicotine products

- Ensuring legal adult access across Member States.
- Recognising that controlled legal availability is essential for effective youth protection.
- Avoiding fragmentation through full bans that undermine harmonisation and facilitate cross-border grey trade.

7.5. Clear risk communication as part of EU tobacco control policy

- Supporting accurate communication about relative risks between combustible and non-combustible products.
- Addressing documented public misperceptions that hinder smoking decline.
- Aligning regulation and communication to accelerate reductions in smoking-related disease.

8. A common European objective

We share the Nordic Cancer Union's ambition to reduce cancer and protect young people. These discussions take place in parallel with the ongoing revisions of the Tobacco Products Directive, the Tobacco Advertising Directive and the Tobacco Taxation Directive, which together will shape the future European nicotine framework.

Our message is that regulatory precision matters. A framework that accelerates the decline of smoking, maintains legal and supervised adult access to less harmful alternatives, strengthens enforcement against illicit trade, harmonises rules across Member States, and guarantees a regulated legal market for smoke-free nicotine products, will better serve public health, economic stability and crime prevention. We remain committed to constructive dialogue and evidence-based policymaking in support of Europe's smoke-free future.

Respectfully,

The Nordic Nicotine Industry Associations:

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