



Folkhälsomyndigheten  
PUBLIC HEALTH AGENCY OF SWEDEN

# **Regulation of novel tobacco products and e-cigarettes in different EU Member States**

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International scientific conference on e-cigarettes

Paris, 5<sup>th</sup> December 2022





## WP7

Leader

**RIVM**

THE NETHERLANDS

### **E-cigarettes and novel tobacco products evaluation**

**WP participants:** DSTA, CIPH, Sciensano, ANSES, INCA, ISS, MoH-IT, ISPRO, IRFMN, NOMA, NIPH, FOHM, NPHO, OKPI, IPHS, AGES, BFR, ICO, UIC, CNPT, XQNS

**Aim:** To enhance a better understanding of the properties, health impact and regulatory implications of novel tobacco products and e-cigarettes.

### **Deliverables**

- [T7.1 b Report Final 220929](#)

[T7.1-b-Report-Final-220929.pdf \(jaotc.eu\)](#)

# Data collection

- Questionnaire was prepared and shared between all EU MSs and Norway
- Responded countries

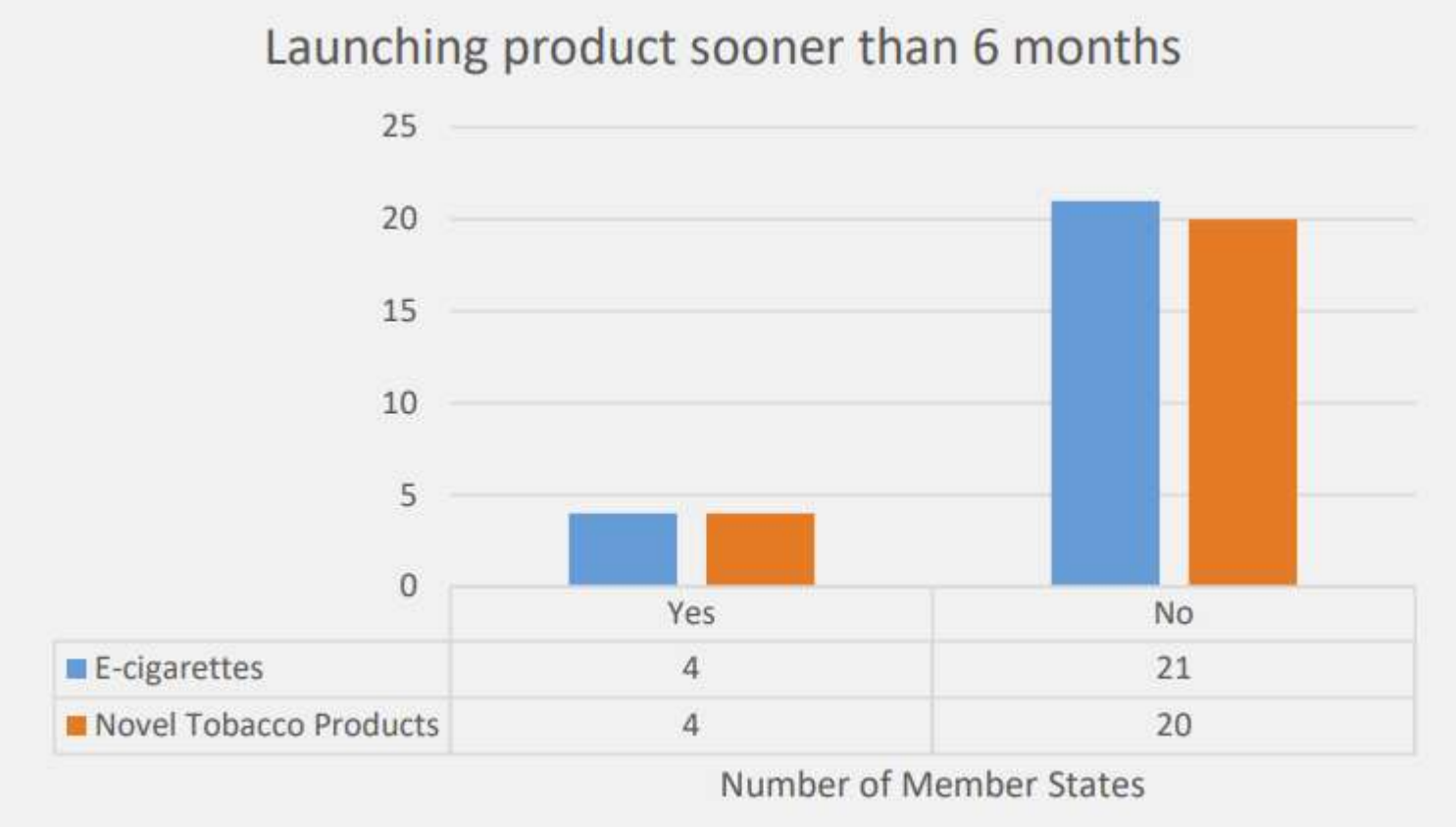
Croatia	HR	Germany	DE	Lithuania	LT	Norway	NO
Slovakia	SK	France	FR	Austria	AT	Greece	GR
Netherlands	NL	Cyprus	CY	Belgium	BE	Sweden	SE
Slovenia	SI	Latvia	LV	Czech Republic	CZ	Estonia	EE
Bulgaria	BG	Poland	PL	Spain	ES	Portugal	PT
Finland	FI	Denmark	DK	Italy	IT	Hungary	HU
Malta	MT	Ireland	IE				

# Confirmation or approval

- Notification through EU-CEG 6 months prior entering the market

<b>E-cigarettes and refill containers</b>		
<b>Confirm</b>	<b>Approve</b>	<b>Neither confirm nor approve</b>
<b>9</b> <b>(SI, BU, FI, BE, ES, IT, DK, GR, HU)</b>	<b>4</b> <b>(SI, BE, ES, HU)</b>	<b>16</b> <b>(HR, SK, HL, AT, LT, CZ, SE, EE, DE, FR, CY, LV, PL, MT, PT, IE)</b>

# Launching products on the market



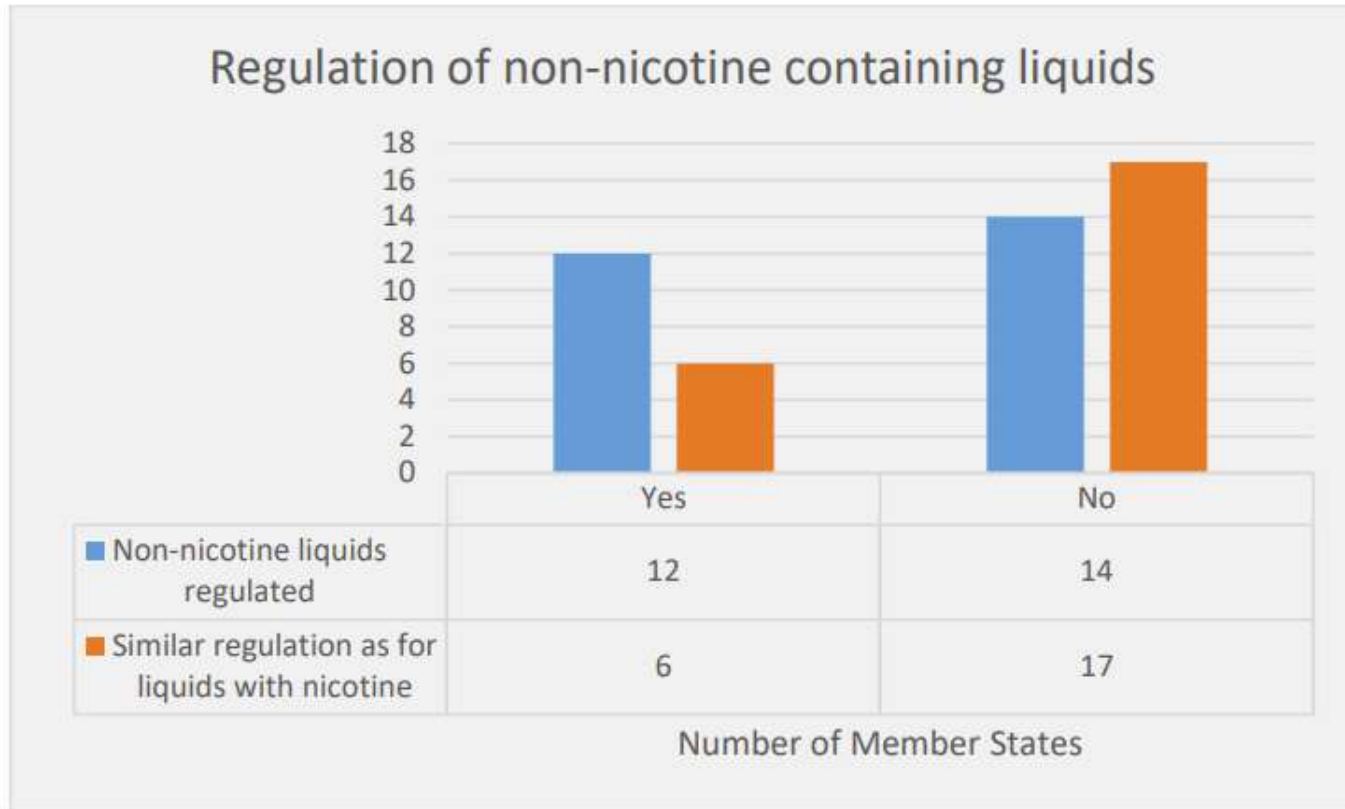
E-cigarettes: BE, SI, ES, DK

Novel Tobacco Products: CZ, SI, ES, DE

# Banning of ingredients and flavours

- Planning to ban flavours: Netherlands, Spain, Latvia, Slovakia
  - Already banned:
    - Lithuania (all flavours except tobacco)
    - Finland (all flavours except tobacco)
    - Norway (ban on selling of e-cigarettes)
    - Estonia (menthol)
    - Denmark (all flavours except tobacco and menthol)
    - Hungary (all flavours)
  - Other ingredients: Germany ban 2,3-butanedione, 2,3-pentanedione, 2,3-hexanedione, 2,3-heptanedione and coumarin
  - MSs forbid ingredients mentioned in the article 7 (6) TPD
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# Non-nicotine containing liquids



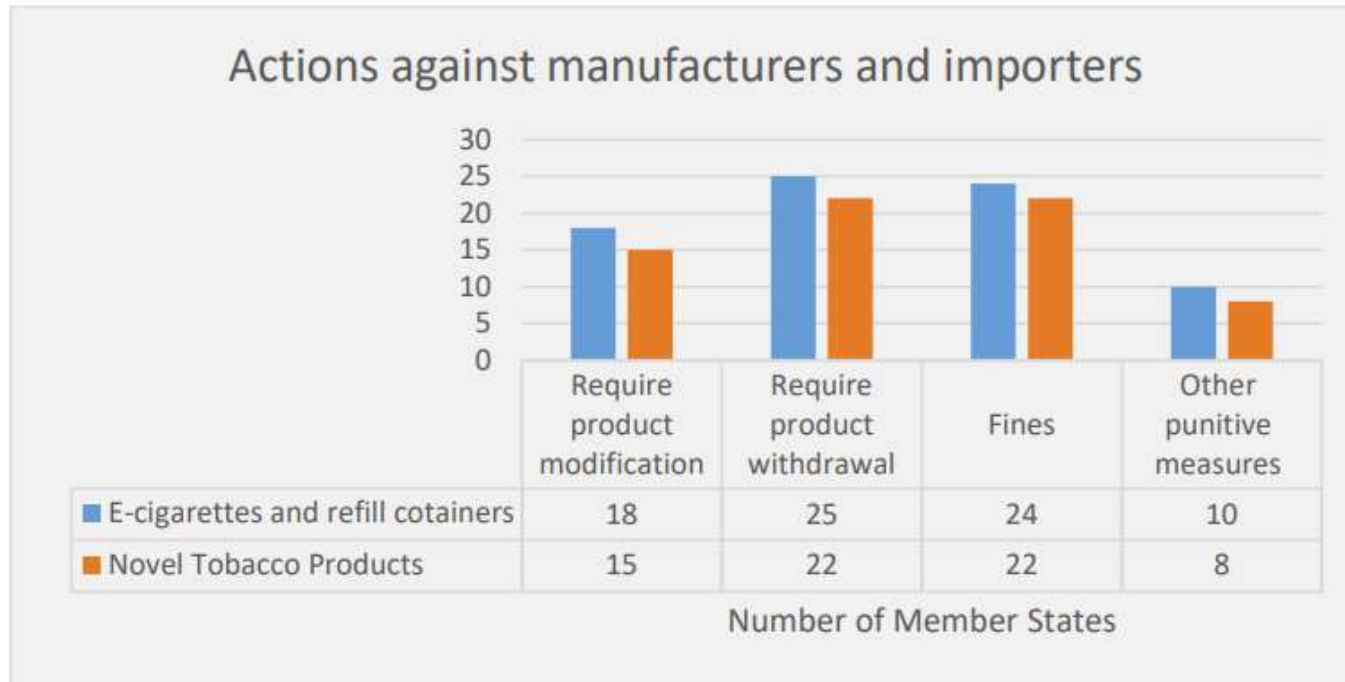
# Issues with manufactures and importers

Issues regarding product notifications due to incomplete, incorrect or missing information:

- not all the ingredients are notified
  - incorrect launch date
  - incorrect nicotine concentration
  - incorrect language of the health warnings
  - incorrect volume capacity
  - presence of forbidden ingredients
  - lack of necessary attachments such as reports, test results
  - lack of quality and safety declaration
  - lack of toxicological data
  - missing information on responsible economic operator in the EU.
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# Actions against manufactures and importers





# Product ban

- 15 Member States reported that they have rejected/banned/forbidden or withdrawn e-cigarettes and refill containers from their national markets
- 7 of those Member States made information on rejected/banned/forbidden/withdrawn e-cigarettes and refill containers publicly available and provided links

Member State	E-cigarettes and refill containers
<b>Belgium</b>	<a href="#">Notification des produits de la e-cigarette   SPF Santé publique (belgium.be)</a>
<b>Czech Republic</b>	<a href="#">Nebezpečné výrobky – 7. stránka – Ministerstvo zdravotnictví (mzcr.cz)</a>
<b>Lithuania</b>	<a href="#">Pakeitimai 2022-07-01 angl.pdf (lrv.lt)</a>
<b>Poland</b>	<a href="#">Wykaz wydanych decyzji - Biuro do spraw Substancji Chemicznych - Portal Gov.pl (www.gov.pl)</a>
<b>Austria</b>	<a href="#">Produktwarnungen &amp; Produktrückrufe - AGES</a>
<b>Ireland</b>	Information is available on the Health Service Executive website
<b>Italy</b>	<a href="https://www.adm.gov.it/portale/tabacchi-determinazioni-provvedimenti-gu">https://www.adm.gov.it/portale/tabacchi-determinazioni-provvedimenti-gu</a>

# Specific requirements

- 17 Member States consider that their national regulations cover all the aspect of e-cigarettes and refill containers.
  - 10 Member States introduced such requirements, for example regulation of non-nicotine containing liquids, flavor and ingredients ban, marketing ban, ban to use in public places etc.
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# Information leaflets and health warnings

- None of the responded Member States allows health warnings in other languages than their official language/languages.
  - All Member States except Finland require that both unit packets and outside packaging of refill containers carry health warnings.
  - 14 Member States reported that they do not face any issues in implementing the provisions concerning leaflets in unit packets of e-cigarettes.
  - 10 Member States reported that they experienced different kinds of issues in implementing such provisions concerning leaflets.
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# Thank you

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