

EN

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Answer given by Mr Várhelyi
on behalf of the European Commission
(20.8.2025)

The growing popularity of nicotine pouches raises serious public health concerns. There are no safe levels of tobacco or nicotine consumption, including from smoke-free nicotine products such as nicotine pouches. Nicotine is a toxic and highly addictive substance and the growing appeal of these products, in particular among young people, is a worrisome trend.

Nicotine pouches are currently outside the scope of the Tobacco Products Directive 2014/40/EU ('the Directive')¹. The market presence of these products was noted in the Commission Report on the application of the Directive². The increasing availability and use of these products, particularly among young people is being assessed in the context of the ongoing evaluation of the EU legislative framework for tobacco control. This evaluation aims to address concerns regarding young people's access to novel tobacco and nicotine products. The next steps will be determined based on the findings of the evaluation.

Nicotine pouches may be subject to national measures, provided that those measures comply with EU law, including the provisions on the free movement of goods of the Treaty on the Functioning of the European Union (TFEU). The TFEU, does not preclude restrictions justified on one of the grounds of public interest laid down in Article 36 TFEU, including the protection of public health.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02014L0040-20231023>.

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2021%3A249%3AFIN>.