

(English version)

Priority question for written answer P-004058/25
to the Commission
Paulo Do Nascimento Cabral (PPE)
(15 October 2025)

Subject: Differentiated and evidence-based treatment of European traditional products under the Tobacco Products Directive

The Tobacco Products Directive ⁽¹⁾ (TPD) establishes a differentiated, evidence-led framework for the treatment of tobacco products. Targeted exemptions apply to certain product categories and can be withdrawn only when a ‘substantial change of circumstances’ is demonstrated. This keeps rules proportionate; the toughest requirements apply where consumption patterns and evidence indicate heightened public-health risks, while smaller, traditional segments that are not driving youth uptake and represent a limited share of the market are not unduly burdened, and can continue to support jobs, craftsmanship and local value in the EU economy. As also acknowledged by the Court of Justice of the EU in its judgment of 26 June 2025 in C-759/23, this framework is lawful and evidence-based ⁽²⁾.

1. Does the Commission consider that this differentiated and proportionate mechanism has functioned as intended since the TPD’s adoption?
2. Based on the Commission’s monitoring to date, which product categories, if any, beyond heated tobacco products, have met the conditions that warranted activating the substantial change of circumstances clause?
3. As it prepares updates to the EU’s tobacco rules, will the Commission maintain an evidence-based, category-specific approach, rather than a one-size-fits-all model?

Submitted: 15.10.2025

Answer given by Mr Várhelyi on behalf of the European Commission
(19 November 2025)

In response to the Honourable Member’s question 1 and 3, the Commission is currently conducting a comprehensive evaluation of the Tobacco Products Directive 2014/40/EU ⁽¹⁾ and Tobacco Advertising Directive 2003/33/EC ⁽²⁾ in line with Better Regulation requirements. The findings of this evaluation will guide the next steps regarding these two Directives.

As regards question 2, since the establishment of a substantial change of circumstances for heated tobacco products, no other tobacco product category has, to date, been identified as fulfilling the conditions of Article 2(28) of Directive 2014/40/EU. The Commission closely monitors market developments regarding all tobacco product categories to determine whether a substantial change of circumstances exists.

¹ Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC (OJ L 127, 29.4.2014, p. 1, ELI: <http://data.europa.eu/eli/dir/2014/40/oj> (<http://data.europa.eu/eli/dir/2014/40/oj>)).

² Judgment of the Court of Justice of 26 June 2025, *PJ Carroll & Company Ltd, Nicoventures Trading Ltd v The Minister for Health and Others*, C-759/23, ECLI:EU:C:2025:477.

⁽¹⁾ <http://data.europa.eu/eli/dir/2014/40/oj>.

⁽²⁾ <http://data.europa.eu/eli/dir/2003/33/oj>.