

Tobacco Products and Advertising Directives (Recast) - Call for evidence: a European Cancer Organisation Response

Introduction and summary

The European Cancer Organisation (ECO) welcomes the opportunity to contribute to the European Commission's Call for Evidence on the revision of the Tobacco Products Directive and Tobacco Advertising Directive. We trust that our reply to the call for evidence can help inform the Commission's assessment of future policy options and the modernisation of tobacco and nicotine control policies.

Europe's Beating Cancer Plan identifies tobacco control as a cornerstone of cancer prevention, public health protection, and the long-term resilience of healthcare systems, with the goal of achieving **a tobacco-free generation by 2040**. The European Commission's recent [evaluation](#) of the EU tobacco control framework confirms this, emphasising that **EU tobacco legislation has significantly improved public health outcomes** by reducing smoking prevalence and lowering tobacco-related mortality, as well as decreasing the burden of cancer and other chronic diseases across the Union.

Nevertheless, the evaluation stresses that **progress towards the objectives of Europe's Beating Cancer Plan is at risk**. Indeed, the World Health Organization's 2026 regional factsheets indicate that the WHO European Region continues to have the highest tobacco use prevalence globally, and is the only region not expected to meet the global target of a 30% reduction in tobacco use among women by 2025¹.

The rapid **emergence of novel tobacco and nicotine products** is also creating new regulatory and public health challenges not foreseen when the current framework was adopted. The forthcoming revision of the Tobacco Products Directive and Tobacco Advertising Directive is therefore of particular importance.

The European Cancer Organisation replies to the European Commission's Call to Evidence to seek **reinvigoration of Europe's goal for a tobacco-free generation** and **recognition and response to the real harm being created by the new addiction industry of novel tobacco and nicotine products**:

Novel tobacco and nicotine products – sustaining health-harming addiction for a new generation

The growth of an industry supplying the public with novel tobacco products is the growth of an addiction-sustaining industry, notably steered by many owner companies still commercialising the original nicotine addiction product, tobacco.

New nicotine addiction leads to new smokers and new cancers:

The WHO European Region now has some of the highest youth vaping rates globally. Recent public health data show that around one in seven children aged 13–15 and one in four adolescents aged 15–16 in the EU use e-cigarettes. Today, an estimated 4 million adolescents

¹ <https://eupha.org/articles/eupha-statement-on-new-data-showing-the-scale-of-the-tobacco-crisis-in-europe>

aged 13–15 use tobacco or nicotine products, and adolescent e-cigarette use has increased in 22 EU Member States since 2019.² These are not customers replacing a smoking habit, these are by-and-large new consumers (and future addicts) of nicotine.

Multiple European studies show significant levels of e-cigarette experimentation among young people who had not previously smoked cigarettes. Public health reviews consistently conclude that novel nicotine products increase the risk of smoking initiation among non-smokers and adolescents³.

Challenging the “harm reduction” and “cessation” narrative

Although novel tobacco and nicotine products are commonly framed and marketed under the guise of “harm-reduction” or “smoking-cessation tools”, these products are commonly used alongside conventional cigarettes. According to a recent Eurobarometer survey, 59% of e-cigarette users and 79% of heated tobacco product (HTPs) users in the European Union were dual users, continuing to use conventional tobacco products concurrently. This pattern indicates that Novel Tobacco and Nicotine Products complement rather than replace cigarette smoking and may therefore sustain nicotine dependence, exposure to tobacco-related harms and act as a gateway to tobacco and nicotine use among non-smokers.

This concern is further supported by the [European Commission’s evaluation of the TPD and TAD](#), stating that e-cigarette use increases the likelihood of cigarette smoking by about three times⁴ and the WHO indicates that children who use or even try Electronic Nicotine Delivery Systems (ENDS), are more than twice as likely to smoke cigarettes.⁵

The EU’s emerging nicotine epidemic: nicotine’s addictive nature

The WHO warned that **“all tobacco, nicotine and related products pose health risks, including risk of addiction”** The European Commission reconfirms this in its [report on the potential risks to public health associated with the use of refillable electronic cigarettes](#), stating that *“Nicotine is an alkaloid found in tobacco plants. It is a stimulant that acts on the parasympathetic nervous system and is the primary cause of addiction to tobacco products.”*

The addictive nature of novel nicotine and tobacco products and the aggressive marketing strategies being deployed are reflected in the growth in the market share of these products in the EU. From 2012 to 2023, the **e-cigarette** market grew by 450% in value and 421% in volume⁶ between 2019 and 2023.⁷ **Nicotine pouches** have had a similar surge, with their sales value increasing by 1697%⁸ and in some Member States, such as Sweden, almost one in four young women (24%) and nearly one in three young men (29%) reported current use of snus or nicotine pouches.

Despite this rapid growth and the addictive nature of nicotine, novel nicotine and tobacco products remain outside the scope of the current tobacco control framework.

² <https://eupha.org/articles/eupha-statement-on-new-data-showing-the-scale-of-the-tobacco-crisis-in-europe/>

³ https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/740068/IPOL_IDA%282022%29740068_EN.pdf

⁴ JRC (2025a), SCHEER 2021 Opinion on electronic cigarettes

⁵ JRC (2025a), SCHEER 2021 Opinion on electronic cigarettes, See also recital 43 of the TPD.

⁶ With units sold rising from 125 million in 2012 to 649 million in 2023. Source: Euromonitor International Ltd, Tobacco, 2025 industry edition

⁷ Ibid.

⁸ Ibid.

From pesticides to novel nicotine products: nicotine's toxic nature

Nicotine is a toxin formed in the tobacco plant as a defence against insects and was previously used as an insecticide and pesticide in agriculture. The substance itself is strongly addictive and has significant effects on the brain and nervous system.⁹

The toxicity and hazardous effects of nicotine are reiterated in a recent [report by the Dutch National Institute for Public Health and the Environment](#) stating that “*Nicotine is acutely toxic via all routes of exposure*”, and has a harmonised classification conform the CLP-Regulation (EC. No 1272/2008) as “Acute Tox. 2 for the oral, dermal and inhalation route (H300: fatal if swallowed, H310: fatal in contact with skin, H330: fatal if inhaled)” The most significant acute effects of nicotine target the central and peripheral nervous systems, manifesting as symptoms such as dizziness, salivation, and increase in heart rate and blood pressure.

In general, adverse effects from inhalation of toxicants include “*local toxicity in the respiratory tract, systemic toxicity, or carcinogenic effects*”, which may manifest as tumours in the respiratory tract or elsewhere in the body. [The report](#) notes that for nicotine, the available evidence suggests that both systemic toxicity (such as cardiovascular effects and adverse effects on development) and local toxicity in the respiratory tract are relevant health effects.

The science is still coming forward on health harms:

Products such as e-cigarettes, heated tobacco products and nicotine pouches have not been used widely for long enough to generate the decades of epidemiological evidence that exists for conventional cigarettes. While some studies suggest that certain products may expose users to lower levels of some harmful substances than combustible tobacco, reduced exposure does not necessarily equate to reduced disease risk, particularly over the long term.

A legacy of scientific misinformation and disinformation in the policy field

There is an unfortunate, and long, history of many tobacco industry representative voices dishonestly downplaying the harms caused by their products.¹⁰ This includes the use of misleading descriptors for cigarette variants like ‘light’ and ‘mild’, the use of filters to suggest reduced harm, the deliberate engineering of products to fool machine-based testing, the knowing denial that their products were linked to cancer, and false claims that there was no harm from second-hand smoke.¹¹

This history should provide all policymakers with a healthy baseline scepticism towards those, who while directly targeting children and young adults with advertisements for their harmful and addictive products, cloak that conduct in the public health language of harm reduction.

⁹ Vidensråd for Forebyggelse, *Nicotine Use Among Children and Young People: Consequences and Prevention* (Copenhagen: Vidensråd for Forebyggelse, n.d.), https://vidensraad.dk/sites/default/files/paragraph/field_download/vff_nicotine_rapport_DIGI_spread_01.pdf

¹⁰ World Health Organization, “WHO position on tobacco control and harm reduction,” <https://www.who.int/publications/m/item/who-position-on-tobacco-control-and-harm-reduction>

¹¹ World Health Organization, “WHO and tobacco control partners urge countries not to partner or work with the tobacco industry,” <https://www.who.int/news/item/03-05-2023-who-and-tobacco-control-partners-urge-countries-not-to-partner-or-work-with-the-tobacco-industry>

The forthcoming revision of EU tobacco and nicotine legislation provides an opportunity to **ensure that the EU remains at the forefront of global tobacco and nicotine control**. In recent years, countries such as the United Kingdom, the Maldives and Australia have adopted significant, precedent-setting measures to regulate tobacco and nicotine products and reduce their appeal by pursuing an ‘endgame’ approach, including generational bans. The European Union should follow this lead and modernise its legislative framework accordingly, fulfilling in whole its obligations under the WHO Framework Convention on Tobacco Control.

For this reason, the European Cancer Organisation welcomes the revision of the Tobacco Products Directive and Tobacco Advertising Directive and makes the following **recommendations**:

ECO’s recommendations for the revision of EU tobacco and nicotine legislation

The bringing forward of new tobacco and nicotine control legislation by the European Union is an opportunity to announce fresh ambition. ‘Control’ is not enough. It is time for an active and clearly understood policy at EU level for a tobacco and nicotine ‘endgame’ - policies and strategies aimed not just at reducing product usage rates, but at effectively ending the tobacco and nicotine addiction epidemic within a defined timeframe.

A. The Tobacco Products Directive (TPD) revision should:

- Express its purpose in unambivalent terms - an EU goal for the *elimination* of tobacco and nicotine use;
- Examine options to increase tobacco and nicotine product manufacturers’ liability for the harms caused by its products, in line with Article 19 of the WHO Framework Convention on Tobacco Control;
- move beyond traditional cigarettes in its coverage and create a comprehensive regulatory framework for all nicotine and tobacco products, including e-cigarettes, heated tobacco products and nicotine pouches;
- Extend the ban on characterising flavours in tobacco products to ban all flavours in all tobacco and nicotine products, including in electronic cigarettes;
- allow Member States to adopt more ambitious measures than those required by EU legislation, reflecting the principle of setting a floor, not a ceiling;
- address the environmental impact of combustible tobacco products and novel nicotine and tobacco products by, for example, banning plastic-containing filters and enhancing environmental disclosure requirements on manufacturers;

B. The Tobacco Advertising Directive (TAD) revision should:

- Extend the scope of the revised directive to all tobacco and nicotine products, without exceptions for e-cigarettes, heated tobacco products, nicotine pouches, and other nicotine-containing products;
- Prohibit advertising, promotion, and sponsorship of those products through all communication platforms, including emerging communication channels, digital platforms, and social media;
- Take measures to protect the most vulnerable, with particular attention to children and young people

The evidence to support an ambitious update of the EU's Tobacco and Nicotine Control Framework

The ambition of the Commission's proposal should match the severity of tobacco and nicotine's negative impacts on personal health, public health, the economy, the environment and society. EU legislative action should always be led by the evidence. Presented below are points of evidence in further support to our above recommendations.

The evidence appears to our Organisation to be clear. Any review of the harm caused by tobacco and nicotine products clearly signifies the requirement for an active policy at EU level for a tobacco and nicotine product 'endgame' - policies and strategies aimed not just at reducing smoking rates and nicotine use, but at effectively ending the tobacco and nicotine addiction epidemic within a defined timeframe.

1. Evidence on the personal and public health harm of tobacco and nicotine products

The European Commission's consultation document states a commitment to assessing *the public health impacts of tobacco and novel products*. The European Cancer Organisation calls on the Commission to fully recognise that all tobacco and nicotine products are harmful to health and highly addictive and there is no safe level of these tobacco and nicotine. The assessment should therefore reflect the significant health burden associated with these products, including novel and emerging tobacco and nicotine products.

Tobacco use is the single most preventable cause of disease and death, leading to nearly 700.000 deaths in the EU every year.¹² Tobacco causes 82% of lung cancer cases in Europe¹³, is responsible for 50% of all cases of bladder cancer,¹⁴ primary cause of oral cancer¹⁵ and related to at least 20 other types and subtypes of cancer. The immediate implementation of tobacco control policies at the highest level could prevent 20% of lung cancer cases in men and 23% of lung cancer cases in women in Europe over the next two decades.¹⁶

While more research is still needed to fully understand the long-term health effects of novel nicotine and tobacco products, existing evidence indicates that children and adolescents are particularly vulnerable to nicotine exposure. **Nicotine is highly addictive** and can **interfere with brain development**, particularly in areas related to learning, attention, and impulse control, making its use especially harmful for young people and adolescents. Nicotine has also been associated with an **increased risk of mental health issues, including anxiety and depression**,

¹² European Commission, "Overview," Public Health – Tobacco, European Commission Tobacco Overview

¹³ International Agency for Research on Cancer, "European Code against Cancer, 4th Edition: Tobacco and Cancer

¹⁴ Ryan Wong, Richard S. Matulewicz, Marc A. Bjurlin, A Urologist's Guide to Managing Bladder Cancer in Patients Who Smoke, European Urology Focus, 2025

¹⁵ International Agency for Research on Cancer, IARC Handbooks on Cancer Prevention – Oral Cancer Prevention, 2023

¹⁶ Kevin Ten Haaf, Confronting the burden of tobacco-related lung cancer in Europe in the next decades, The Lancet Regional Health – Europe 4, <https://pmc.ncbi.nlm.nih.gov/articles/PMC8454878/>

as well as higher levels of alcohol consumption.¹⁷ In addition, studies show that young people who use e-cigarettes are three times more likely to start smoking.¹⁸

Research also indicates that smoking and vaping together can increase the risk of lung cancer more than smoking alone.¹⁹

2. Evidence on industry's marketing strategies circumventing the current legislative frameworks and targeting young people (Tobacco Advertising Directive)

Today, the tobacco and nicotine industry has a broader range of products than ever before, including heated tobacco, e-cigarettes, and nicotine pouches. They also have access to more and emerging communication channels, where audiences can be precisely targeted, and are particularly challenging to monitor and regulate. The combination of this broad range of novel products with emerging communication channels **provides the industry with numerous opportunities to circumvent restrictions on tobacco advertising, promotion, and sponsorship.**

- In the EU, only 4 countries have comprehensive advertising, promotion and sponsorship bans.
- Only half of the Members States apply partial restrictions on e-cigarette advertising.

Novel tobacco and nicotine products are not only designed in ways that appeal to children and youth, but also **not adequately covered by existing tobacco advertising frameworks (1).** Furthermore, novel products, including e-cigarettes, nicotine pouches, and heated tobacco, are marketed and sold through **emerging communication channels**, such as TikTok and Instagram, which are particularly popular among youth and adolescents and are often **difficult to monitor and regulate under the current legislative framework (2):**

1. *Making use of Novel tobacco and nicotine products, not adequately covered by existing tobacco advertising frameworks:*

- *content promoting novel tobacco and nicotine products, including e-cigarettes, nicotine pouches and heated tobacco products from two leading multinational tobacco companies has been viewed more than 3.4 billion times on social media platforms;*²⁰

2. *Making use of Emerging communication channels popular among children and young people, difficult to monitor and regulate in the current legislative framework:*

- *85% of 15–30-year-olds were exposed to e-cigarette advertising across multiple media platforms;*²¹

¹⁷ Nordic Cancer Union, *Recommendations from the Nordic Cancer Union: Why the EU must act now to safeguard a tobacco- and nicotine free future*, 2025

¹⁸ *ibid*

¹⁹ *ibid*

²⁰ World Health Organisation, *Hooking the next generation: how the tobacco industry captures young customers*, 2024, <https://www.who.int/publications/i/item/9789240094642>

²¹ World Health Organisation, *Hooking the next generation: how the tobacco industry captures young customers*, 2024, <https://www.who.int/publications/i/item/9789240094642>

- *marketing content for three major nicotine product brands has reached **over 150 million youth** under the age of 25 years;*²²

This is especially concerning because nicotine is highly addictive and can interfere with brain development, particularly among children and adolescents. This marketing strategy reflects the tobacco industry's long-standing history of **considering children and youth as "replacement smokers" and "pre-smokers", and as a critical market for sustaining its business and securing the future of its brands.** By targeting young people through emerging social media platforms and taking advantage of regulatory gaps surrounding the advertising and promotion of novel tobacco and nicotine products, the industry continues a strategy aimed at recruiting new generations of nicotine users, perpetuating addiction and ensuring a future consumer base:

- *daily use of one social media platform among middle school students was associated with a **3.8%** increase in risk of current e-cigarette usage, rising to **6.1%** among high school students*²³
- *each additional hour per day spent on the platform among first-year university students was associated with a **4.6%** increase in the probability of lifetime e-cigarette use*²⁴
- *In the WHO European Region, **e-cigarettes have overtaken conventional cigarettes** in popularity, with 32% of 15-year-olds surveyed reporting e-cigarette use at some point and 20% in the past 30 days*²⁵

For this reason, the European Cancer Organisation urges the European Commission and Member States to recognise the WHO's position that all tobacco, nicotine, and related products pose health risks, including a significant risk of addiction, particularly among young people. **A revised Tobacco Advertising Directive should therefore treat all tobacco and nicotine products equally, without exceptions for novel tobacco and nicotine products, and prohibit their advertising and promotion through all communication platforms, including emerging communication channels, digital platforms, and social media, particularly ensuring that children and young people are protected from exposure**

3. Commentary on other impacts

A. Economic impact:

The European Commission's consultation document states a commitment to assess *the economic impact of tobacco and nicotine use*. ECO recommends that the economic cost of inaction on tobacco and nicotine control be fully understood and reflected in the Commission's assessment of future policy options.

A recent study by the European Commission's Joint Research Centre estimates that the **health-related costs of tobacco use amount to €80.7 billion in the EU**, not including the additional burden of novel and emerging tobacco and nicotine products. This highlights tobacco as a substantial economic burden, representing on **average 0.47% of the EU's GDP** and accounting

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

for approximately **2.5% of total healthcare expenditures**.²⁶ When indirect costs such as productivity losses and the broader economic consequences of tobacco-related mortality are included, the total economic burden in the EU rises to an estimated **€587 billion** annually.²⁷

Concerning the economic impact of novel tobacco and nicotine products, European data are currently limited, given their relatively new phenomenon, short follow-up time, and limited longitudinal data. However, one of the first studies of its kind addressing the economic impact of novel nicotine and tobacco products found that **the use of electronic cigarettes** among adults costs the United States approximately **\$15 billion in healthcare expenditures annually**,²⁸ a figure that cannot be ignored by EU policymakers, particularly as the current revision of the Tobacco Control Framework took more than a decade to complete.

B. Environmental impact:

The European Commission's consultation document states a commitment to assessing *the environmental impact of tobacco and nicotine use*. The European Cancer Organisation recommends that the environmental impact of inaction on tobacco and nicotine control be fully understood and reflected in the Commission's assessment of future policy options.

From start to finish, the tobacco life cycle is an overwhelmingly polluting and damaging process. It is responsible for significant carbon emissions, with around **84 million tonnes of CO₂ released from tobacco production into the air each year**, equivalent to about three million transatlantic flights.²⁹ This CO₂ emission contributes to air pollution, the second leading cause of lung cancer.³⁰ Furthermore, **tobacco product waste contains more than 7,000 toxic chemicals**, which can leach into and accumulate in the environment, leading to soil fertility degradation and the contamination of drinking water.³¹

There is **also the waste from novel and emerging products** such as e-cigarettes and heated tobacco products, which is increasing as more people use these products. For example, **single use e-cigarettes, disposable ones, cartridges, pods contain plastic, electronic and chemical waste, and like cigarette butts**, many end up littered in a way that isn't safe or environmentally friendly. These products also generate toxic emissions, which can pollute the environment.³²

²⁶ Salari, P., Maragkoudakis, P.-A. and Wollgast, J., The health-related costs attributable to tobacco use in the EU, European Commission, Joint Research Centre (JRC146176), 2026

²⁷ European Commission, impact assessment report on the structure and rates of excise duty applied to tobacco and tobacco related products (recast) https://taxation-customs.ec.europa.eu/document/download/415b9aff-9b71-4e3a-b0b4-0f49bea3fad7_en?filename=SWD_2025_560_1_EN_impact_assessment_part1_v4.pdf&prefLang=pt

²⁸ Wang, Y. et al. (2023) Healthcare utilisation and expenditures attributable to current e-cigarette use among US adults, Tobacco Control, 32(6), pp. 723–728. Available at <https://tobaccocontrol.bmj.com/content/32/6/723>

²⁹ World Health Organization, Regional Office for Europe, Tobacco and the environment: factsheet https://cdn.who.int/media/docs/librariesprovider2/euro-health-topics/tobacco/tobacco-env-factsheet-eng.pdf?sfvrsn=1b9ced39_1&download=true

³⁰ Journal of Thoracic Oncology, Air pollution and lung cancer: expert review and perspectives, 2023

³¹ World Health Organization, Regional Office for Europe, Tobacco and the environment: factsheet https://cdn.who.int/media/docs/librariesprovider2/euro-health-topics/tobacco/tobacco-env-factsheet-eng.pdf?sfvrsn=1b9ced39_1&download=true

³² World Health Organisation, "Tobacco Harms the Environment," Tobacco Free Initiative Campaigns 2022, <https://www.emro.who.int/tfi-campaigns/2022/tobacco-harms-the-environment.html>

Within this context, a recent study by the [Danish Environmental Protection Agency](#) highlighted the growing **ecological consequences of nicotine pouch consumption**, showing that **in Denmark** alone nearly **5.3 million pouches are disposed of in nature each year**, representing approximately **3.3 tons of waste**. Furthermore, these pouches still contain **significant amounts of nicotine after use and could pose risks to wildlife and the environment**.³³

C. Societal Impact:

The European Commission's consultation document states a commitment to assessing *the societal impact of tobacco and nicotine use*. The European Cancer Organisation recommends that the assessment fully consider the adverse socioeconomic impacts of tobacco and nicotine use.

Tobacco and nicotine use **contribute to poverty by diverting household expenditure away from essential goods and services, including food, housing, education and healthcare**.³⁴ This spending behaviour is difficult to curb because the addictive nature of tobacco and nicotine products.

Furthermore, tobacco and nicotine use **worsen poverty among users and their families** since **tobacco and nicotine users are at much higher risk of falling ill and dying prematurely of tobacco-related diseases including cancer**, depriving families of much-needed income and **imposing additional costs for health care**.

³³ Danish Environmental Protection Agency, "New Report: Millions of Nicotine Pouches Are Thrown Into Nature," *mst.dk*

³⁴ World Health Organisation (WHO), Tobacco Fact Sheet,

Further Readings

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