European Heart Network
Fighting heart disease and stroke

European Heart Network response to the EU public consultation on Tobacco products and tobacco advertising

The European Heart Network (EHN) welcomes the revision of the Tobacco Products Directive (TPD) and Tobacco Advertising Directive (TAD) as an essential opportunity to strengthen the protection of public health. Cardiovascular disease remains the leading cause of death in Europe, and for individuals who use these products, tobacco and nicotine use continue to be the most significant preventable risk factor.

There is now growing evidence showing that nicotine itself is a risk factor for cardiovascular disease (CVD). Nicotine and associated toxicants trigger oxidative stress, leading to endothelial dysfunction, a key marker of vascular damage. Persistent endothelial injury promotes cardiovascular disease and may ultimately manifest as hypertension, acute and chronic coronary syndromes, heart failure, stroke, and arrhythmia.

Considering that cardiovascular diseases are the leading cause of death in the EU, the European Union has a responsibility to regulate all forms of nicotine to protect public health. The revised legislation must therefore reflect current scientific evidence, address the rapidly evolving nicotine market and remain effective in protecting future generations.

The need to extend the scope and make new legislation future proof

The scope of EU tobacco control legislation has not kept pace with market developments. The rapid growth of heated tobacco products, e-cigarettes, nicotine pouches, nicotine-free e-cigarettes, heated herbal products and other novel nicotine and non-nicotine products demonstrates the urgent need for broader regulatory coverage. Many of these products are increasingly popular among young people, mimic smoking behaviour, and are marketed in ways that appeal to new users. The revised legislation must therefore cover all nicotine products, including synthetic or chemical nicotine products, as well as nicotine-free products that are marketed and used in similar ways. Importantly, the legislation must be future proof to prevent the regulatory gaps that emerged following the adoption of TPD2.

Future proof legislation requires a regulatory framework that can respond rapidly to scientific, technical and market developments. The tobacco and nicotine market evolves far more quickly than legislative cycles. The European Commission should therefore be equipped with mechanisms that allow timely updates of technical requirements without requiring a complete legislative revision. Product

definitions should also be technology-neutral and based on product function and characteristics rather than specific technologies, ensuring that future products automatically fall within the scope of the legislation.

The importance of initiation prevention, particularly among young people

Preventing initiation, particularly among children and young people, remains one of the fundamental objectives of tobacco control legislation. Strong evidence demonstrates that flavours, attractive product designs, colours, packaging, discrete product formats and intensive promotion through social media significantly increase the appeal of nicotine products to young people. Exposure to marketing through influencers, streaming platforms, user-generated content and other digital channels contributes directly to experimentation and uptake. Evidence increasingly points to online sales, social media marketing and peer networks as major access routes for youth nicotine use. We support stronger controls on cross-border distance sales and digital marketing.

EHN therefore strongly supports comprehensive restrictions on flavours, product design, packaging and digital marketing. Flavours are among the strongest drivers of youth initiation and product attractiveness, and prohibiting flavours in e-cigarettes and nicotine pouches would both strengthen public health protection and reduce fragmentation within the internal market. Restrictions should also include flavour descriptions and visual representations on packaging, as these continue to communicate flavour cues even when flavours themselves are prohibited.

Similarly, product design should no longer be allowed to increase product attractiveness. Many novel nicotine products are intentionally designed to appeal to young consumers, and stronger design requirements are therefore necessary to reduce their appeal. Standardising the size and design of tanks, refill containers and cartridges for e-cigarettes can improve safety while also limiting product attractiveness. Device safety standards should also be strengthened to reduce leakage, overheating and battery-related injuries.

Cause no harm

The concept of “harm reduction” should be explicitly omitted from the next stages of the legislative process. Vapes and nicotine products cause harm, in particular cardiovascular harm, and may increase it in cases of dual or multiple use. WHO data show adult e-cigarette prevalence in the European Region at 4.6%, compared to 14.3% among adolescents aged 13–15; young people are three times more likely to use e-cigarettes and vapes. For this age group (adolescents), harm begins with initiation; there was no harm before they started using these products. Therefore, there cannot be any ‘harm reduction’ – these products initiate harm. This is why the term ‘harm reduction’ has no place in the revision of the EU tobacco control framework.

Prevention needs to be underpinned by efficient cessation measures

Preventing initiation—particularly among children and young people—must remain a core objective of EU tobacco control legislation, and individuals who already use tobacco or nicotine products should be supported by efficient smoking cessation measures such as evidence-based, medical cessation products and services to help them quit successfully. Supporting smoking cessation not only improves individual health outcomes but also contributes significantly to reducing the burden of cardiovascular disease and other non-communicable diseases across Europe. The revised EU tobacco control framework should therefore continue to promote and facilitate access to effective cessation support as an essential complement to prevention and regulatory measures.

Further measures necessary to protect public health

Mandatory plain packaging across the European Union would further strengthen both public health protection and the functioning of the internal market. Evidence consistently demonstrates that plain packaging reduces product attractiveness, limits brand appeal and increases the visibility and effectiveness of health warnings. More broadly, all labelling and packaging measures should aim to improve consumer information, reduce product attractiveness and prevent misleading marketing practices. Consumers should always have access to clear, evidence-based information regarding product risks.

All nicotine products are addictive for both young people and adults. Measures to reduce nicotine concentration in products and to establish maximum nicotine content or dose limits for nicotine pouches can reduce dependence and excessive nicotine exposure while supporting broader public health objectives. Ingredients should never be permitted to increase the attractiveness, addictiveness or toxicity of nicotine containing products.

EHN also supports restrictions on disposable nicotine products. Disposable e-cigarettes are strongly associated with youth use while simultaneously generating considerable environmental waste. Banning disposable products (as is already done in some EU countries) would therefore deliver both public health and environmental benefits.

Addressing advertising in the new digital market

The digital environment has transformed tobacco and nicotine marketing since the adoption of the current Tobacco Advertising Directive. Existing legislation no longer adequately addresses modern forms of online promotion. Current legislation was developed before the emergence of today's digital ecosystem and does not adequately address many forms of online promotion. We therefore support expanding the TAD (Tobacco Advertising Directive) to digital environments. The revised TAD should explicitly cover digital advertising, including social media platforms, influencer marketing, streaming services and user-generated content. Stronger regulation of online promotion is essential to reduce youth exposure and prevent product uptake.

Young people increasingly obtain tobacco and nicotine products through online sales, social media and peer networks. Stronger controls or even bans on cross-

border distance sales and online marketing are therefore required to limit youth access and improve enforcement.

EU Harmonisation

EHN strongly supports greater harmonisation of tobacco and nicotine regulation across the European Union. Current differences between Member States regarding flavours, nicotine pouches, disposable products, packaging and advertising create fragmentation, legal uncertainty and unequal levels of public health protection while complicating enforcement within the internal market. Harmonised EU legislation would reduce these inconsistencies. However, the EU should allow Member States to adopt stronger public health measures where justified, amongst others if EU harmonisation does not obtain highest reachable public health protection standards.

Strong Reporting measures and traceability for new products

Strong implementation and enforcement require robust reporting and traceability systems. Manufacturers and importers should be required to provide complete, accurate and timely information that allows regulators to assess products, identify emerging risks and enforce legislation effectively before new products are put on the market. Reporting systems should be efficient, but efficiency must never compromise the completeness, quality or independent verification of the information provided before a product reaches the EU market.

Similarly, traceability systems should be expanded beyond traditional tobacco products to include e-cigarettes, nicotine pouches and future nicotine products. As the market diversifies, extending traceability will strengthen market surveillance, combat illicit trade, support implementation of the WHO Framework Convention on Tobacco Control Protocol to Eliminate Illicit Trade, and improve overall regulatory oversight.

Conclusion:

Throughout the revision process, public health protection must remain the overriding objective. Youth protection and prevention of initiation are therefore key elements. These need to be supported by evidence-based cessation measures for those who are addicted. While administrative efficiency is desirable, reducing regulatory burdens should never come at the expense of protecting health. Therefore, public health considerations must always take precedence over reducing compliance obligations for industry.

The European Heart Network therefore calls on the European Union to adopt ambitious, future proof tobacco control legislation that reduces cardiovascular disease by protecting young people via smoking prevention and helps those who are addicted via smoking cessation. The revised legislation must ensure consistent protection across Member States and provide regulators with the tools needed to respond effectively to an evolving tobacco and nicotine market.