



Contribution to the public consultation organized by the Dutch authorities on the draft law on nicotine pouches

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Created in 2016, SOVAPE is a French association with a disinterested and non-profit purpose. SOVAPE is dedicated to promoting the reduction of risks of smoking by focusing its attention and actions on vaping. SOVAPE is completely independent from the tobacco industry and the pharmaceutical industry. The statutes of the association exclude any funding from the tobacco industry and pharmaceutical laboratories.

In a permanent network in France and abroad, the members of SOVAPE actively participate in reflections on all issues related to vaping and reducing risks of smoking. This results in many exchanges with specialists and the publication of notes for the attention of the public, decision-makers and health actors. SOVAPE also co-founded the European Tobacco Harm Reduction Advocates (ETHRA) in 2019, which brings together European associations for the defense of means of reducing the risks of smoking, such as vaping and snus.

Our action - intended to promote dialogue and feed reflection on the place of vaping and risk reduction - leads us to contribute to the public consultation organized by the Dutch health authorities dedicated to nicotine pouches.

The Dutch government intends today with a new bill to propose to subject nicotine products which do not contain tobacco and the devices used to use these nicotine products (nicotine devices) to the Tobacco and Smoking Products Act. Tobacco-free nicotine products for oral use (such as nicotine pouches) would therefore be prohibited.

Although a priori not concerned by the market for nicotine pouches, we nevertheless wanted to contribute to this public consultation.

First of all, we wish to clearly express our strong disagreement with this approach to public health policy applied to smoking and our opposition to such a bill.

We would like to draw the attention of the Dutch authorities to the interest of all devices intended, like vaping, to reduce the risks associated with smoking.



This is why we would like to encourage the Dutch authorities to

- Carefully consider robust, high-quality scientific evidences

With several hundred studies and publications each year, the amount of data and scientific literature (clinical and population) on nicotine pouches¹ but also vaping are considerable. We invite the Dutch authorities to operate a very strict selection of references, with particular control over those which could be proposed by organizations which do not hide their scepticism on alternatives to conventional tobacco products in particular, and on risk reduction. in general;

- toxicological studies should always compare the products in question, in this case nicotine pouches, to conventional cigarettes to assess the relative risks in a complete continuum approach- make a clear distinction between studies and data according to legislation and territories, absolutely give priority to European resources

- check with the greatest precaution the most alarmist studies, discarding those that have been retracted despite great media outpourings.

SOVAPE calls on the Dutch authorities to adopt a rigorous approach which is not limited to assessing the risks, but also to take into account the benefits, so as to establish a solid benefit/risk balance.

- Base all product legislation on a risk reduction approach

The precautionary principle is obviously not to smoke, even if it means vaping or using nicotine pouches, as long as no clinical or population study demonstrates a proven risk.

Many stakeholders in the fight against tobacco are still cautious today, if not reluctant, vis-à-vis approaches to reducing tobacco risks, arguing for the precautionary principle and a lack of hindsight on vaping. SOVAPE strongly recommends positioning vaping in a continuum of risks (cigarettes, shisha, heated tobacco, drugs, snus, nicotine pouches, vaping, nicotine substitutes, abstinence).

The balance of hypothetical risks of vaping against the proven danger of smoking should encourage smokers to experiment with vaping and thus maximize their chance of quitting.

Thus, SOVAPE calls on the Dutch health authorities during any evaluation of the legislative framework for the fight against smoking to:

- carry out a real risk/benefit assessment of nicotine pouches compared to the scientifically established harms of smoking and carry out a real review of the scientific data available today on the benefits of nicotine pouches
- carry out a real, objective and scientifically based evaluation of the effectiveness of smoking cessation aids, without ignoring essential EU data.

¹ <https://onlinelibrary.wiley.com/doi/full/10.1002/ijc.30773>