

NNA joins UK High Court bid to overturn European snus ban

Written by [David Palacios](#) || 25 January, 2017 || [Regulatory news analysis](#) ↩ | 📧



The New Nicotine Alliance (NNA) is to join an attempt by manufacturer Swedish Match to overturn the UK's snus ban. If successful, the bid could lead to the smokeless tobacco product being legalised throughout the European Union (EU).

Snus – pronounced to rhyme with “loose” – is a traditional product which has been in use in Sweden since the early 18th century. A moist variant of snuff, it is sold either loose or in small packets and generally placed under the top lip.

It has been banned in the EU since 1992 – except in Sweden, which was granted an exemption from the ban under the 2014 Tobacco Products Directive (TPD).

The popularity of snus in Sweden is widely credited with a dramatic reduction in smoking there. An [ECigIntelligence report](#) in 2015 said its widespread use was likely to hamper e-cigarette growth in the Nordic countries.

The NNA is a registered charity and pressure group dedicated to promoting and supporting ways of reducing harm from smoking without necessarily giving up the use of nicotine.

The organisation has been granted permission by the UK's High Court to support Swedish Match in applying for a judicial review of the ban on the sale of snus in Britain. It will participate as an official “intervener” in the case when the hearing begins tomorrow (26th January 2017).

Swedish exemption

Swedish Match, a company based in Stockholm, is challenging the UK's implementation of the 2014 TPD in the hope of fast-tracking the issue to the European Court of Justice (ECJ), and so getting the Europe-wide snus ban overturned.

Article 17 of the [2014 TDP](#) states: “Member States shall prohibit the placing on the market of tobacco for oral use”. It goes on to make a sole exception for Sweden, “where the sale of this product is permitted pursuant to Article 151 of the Act of Accession of Austria, Finland and Sweden”.

If the High Court in London accepts the request for judicial review, the case should be referred to the EJC in Luxembourg, as the UK law is based on EU legislation. If the ECJ then rules against the snus ban, its decision would apply across the whole EU.

The NNA claims the snus ban is contrary to the interests of public and individual health and so contravenes Article 35 of the EU Charter of Fundamental Rights of products which prevent ill-health.

In 2010, the European Commission launched a consultation in member states about the snus ban and 83% of respondents supported the lifting of the ban.

In the U.S., the Food and Drug Administration (FDA) is divided on the risk reduction benefit of snus. In 2015, a panel from the Tobacco Products Scientific Advisory Committee (TPSAC) [rejected attempts by Swedish Match to claim that snus is less harmful than cigarettes](#). The FDA classifies snus as a modified risk tobacco product (MRTTP).

What This Means: The NNA believes snus can be a successful alternative to smoking. Although the charity admits that snus is not entirely free of adverse health effects, it insists the risks are much less than those associated with smoking.

The NNA will make the point to the High Court in London that the snus ban imposed under the TPD and enshrined in UK law is harmful rather than protective to health and that it discriminates against products and consumers.

The end goal of both the NNA and Swedish Match is to bring their case to the European Court of Justice, whose decision would apply across the whole EU. As the NNA says on its website: “There is a lot at stake”.

– David Palacios *ECigIntelligence staff*

Photo: [Alekos](#); [CC BY-SA 3.0](#)

Latest news

Higher-cost e-liquids bring higher returns in Chinese online market

NNA joins UK High Court bid to overturn European snus ban

Czech Republic: the post-TPD picture becomes clearer

DC conference examines regulation; \$500 discount for our subscribers

Hawaiian senators call for complete e-cig ban; others advocate new tax

Most Read



Regulatory tracker: current regulation of e-cigs in Europe



2016 in e-cigarettes – rapid change, new regulation, and some shocks



Updated: TPD regulatory status country-by-country tracker



Countering the counterfeiters as online sales provide market for fakes



Updated database: key global e-cigarette markets, January 2017

Read related content from ECigIntelligence



User: Barnaby Page

Content ▾ Products ▾ Buy Reports About Us ▾ Advanced Search



[Study calls for smokers to be moved toward e-cigs and...](#)



[FDA rejects snus as modified risk - but could reconsider...](#)



[Swedish Match hopes UK will send snus case to European...](#)

Services

ECigIntelligence.com is a news-led, analytical, and independent resource, focused on tracking regulatory change and market intelligence for the e-cigarette and tobacco-alternatives sector. It provides essential information for professionals involved with e-cigarettes including regular emails containing news of regulatory and market change, tracking of business intelligence from around the world, a growing database of essential industry information and research providing tailored insights into particular areas of interest.

Recent Posts

- Higher-cost e-liquids bring higher returns in Chinese online market
- NNA joins UK High Court bid to overturn European snus ban
- Czech Republic: the post-TPD picture becomes clearer
- DC conference examines regulation; \$500 discount for our subscribers
- Hawaiian senators call for complete e-cig ban; others advocate new tax

About Us

Founded and run by a team of journalists, lawyers and economists, ECigIntelligence's core product is its Website, consisting of regular news reports and in-depth analysis of key issues, keeping you updated on global changes to the regulatory and market landscape in a contentious and highly fragmented sector.

Our independence means you get access to information and frank, objective analysis that may not be available to other industry participants.

Contact Us

info@ECigIntelligence.com
+44 (0) 203 289 8185

UK
ECigIntelligence
(Tamarind Media Limited)
5 St John's Lane
London EC1M 4BH
United Kingdom

SPAIN
ECigIntelligence
(Tamarind Media Limited)
Portaferrissa nº 8 Principal-1
Barcelona - 08002
Spain

