



INFORMATION STATEMENT – PRESS RELEASE

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Swedish government offers no opposition to the legal challenge to rescind the European Snus ban

The Swedish government has resisted special interest groups' negative influence on harm reduction in a bold and positive move in the global effort to eliminate tobacco related disease. The government has chosen to not provide written observations to the European Court of Justice (ECJ) in relation to a case being brought to overturn the EU ban on the sale of 'snus'.

The case (Case C-151/17) is brought by Swedish Match. The New Nicotine Alliance UK has been joined as an intervener, based on arguments related to consumers' human rights and the right to health <https://nnalliance.org/blog/181-nna-snus-ban-challenge-the-legal-case>. All EU member states were asked by the ECJ to submit opinions on a legal challenge by 7th July as part of the court process.

In June 2017, The International Network of Nicotine Consumer Organisations (INNCO) (i) received reliable information that the Swedish Government were planning to submit an opinion to the ECJ identical to their previous EU statements on the health risks and impacts of Snus use. Based on Sweden's historical position this was likely to contain scientifically incorrect information, bias and out dated references, which would have severely impacted on the judicial process of the court.

INNCO and one of their member organisations – New Nicotine Alliance Sweden (NNASw) (ii) launched a joint initiative aimed at averting such misinformation on 'snus' being sent to the ECJ by Sweden, believing their previous oblique submission to the ECJ to be in part responsible for the ban being upheld by the court in 2004.

Seventeen INNCO international member organisations wrote individual letters to the Swedish government, outlining their objections and concern were Sweden to choose, yet again, to submit an incomplete and misleading opinion on Snus to the ECJ.

'Snus' has a 200-year history of use in Sweden without any verifiable evidence of serious adverse health effects. It also remains the most widely used and successful method in assisting smoking cessation. Sweden now boasts the lowest smoking rate in Europe. The Swedish government has released data showing that the proportion of men aged between 30 and 44 smoking fell to just [5 per cent](#) in 2016.

Overall, just 8 per cent of Swedish men now smoke on a daily basis – itself a record-low percentage – compared with a European Union average of just over 25 per cent. There is broad academic consensus that Sweden’s success is directly attributable to the broad migration from traditional cigarettes to Snus.

EU-wide adoption of snus may have contributed towards saving over 300,000 lives per year since 1992 according to a report published 2017 [here](#). The opportunity for tobacco harm reduction is unprecedented.

Sweden is the only EU country in which citizens have legal access to Snus (having gained an exemption as part of their entry to the EU in 1995). Consequently, it is the only country in the world with access to reliable historical data and observations on long term Snus use. Sweden’s evidence is therefore invaluable to the ECJ and public health regulators currently deprived of qualitative Snus data, in the forthcoming re-examination of the current EU Snus ban.

We believe that INNCO’s global civil society initiative has been instrumental in influencing the Swedish government’s decision to offer no comment. In so doing, they have chosen to place the value of health and respect for human rights above ideology. The official government notification on their intentions is available [here](#), together with an English translation [here](#).

The Swedish government might have chosen to replicate their previous incomplete, opaque submission confirming their well-documented intolerance of all nicotine use. Choosing silence over misinformation was a courageous move in the right direction towards acknowledging harm reduction and human rights.

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For Editors

(i) International Network of Nicotine Consumer Organisations (INNCO)

Formed in June 2016, INNCO <https://innco.org> is the collective voice for 27 influential nicotine consumer organisations, in twenty-five countries, across five continents, which each recognise that there are safer ways to enjoy nicotine consumption than tobacco smoking.

INNCO aims to represent the views of consumers in promoting safer use of nicotine and to advocate for effective and proportionate regulation of safer nicotine products and their use. Representation includes engagement with international health, regulatory and public health organisations concerned with nicotine consumption, to ensure that consumers are effectively and equally represented as stakeholders.

INNCO seeks to achieve this through promoting credible science and research into safer nicotine use and increasing awareness and understanding within public health of the risk reducing and life-saving potential of new technologies.

(ii) New Nicotine Alliance Sweden (NNASw)

NNA Sweden <http://www.nnasweden.org/index.php> is a NGO, managed by a board of volunteers. We wish to see a mature public and organisational understanding of the potential of safer nicotine products for reducing cigarette smoking, including their safety and efficacy, and hence contribute to the reduction in cigarette smoking. We do this by engaging with and informing a wide range of individuals and audiences – from health through to regulatory bodies.

For further information please contact:

Mr Atakan E Befrits (Press Officer)

Email: ab@innco.org

Tel number: 0046 764 156046 / 0090 531 5942910

Judy E Gibson

Director and Steering Coordinator

INNCO

jg@innco.org

innco.org

+4407812699615

Twitter: JoodiG

Attached:

Statements and observations relevant to this release

“Snus is a vastly harm reduced discrete spit-less food grade smokeless tobacco product with a 200-year history and more than 50% market share in Sweden. The use of snus in Sweden is a major vector for Swedes having the lowest levels of smoking and tobacco related disease in the west, by a very wide margin. Snus has been erroneously blanket banned in the entire EU except Sweden since 1992, with catastrophic consequences for millions of smokers and their families

Atakan Befrits, Chairperson of NNA Sweden and member of the INNCO Steering Group.

“INNCO and the INNCO member civil societies have again clearly shown both the resolve and the capability to influence global policy in the right direction. Out dated ideologies have corrupted science and skewed epidemiology on ‘snus’, and have had a deadly and distorting monopoly on framing the issues and narratives. This will simply no longer be tolerated

Judy Gibson, Director and Steering Group Chair of global umbrella consumer organisation INNCO

'The availability and use of an oral tobacco product known as snus in Sweden, documented in more detail in our 2007 report...demonstrates proof of the concept that a substantial proportion of smokers will, given the availability of a socially acceptable and affordable consumer alternative offering a lower hazard to health, switch from smoked tobacco to the alternative product. Particularly among men, the availability of snus as a substitute for smoking has helped to reduce the prevalence of smoking in Sweden, which is now by far the lowest in Europe...Trends in snus use in Norway are similar to, and perhaps stronger than, those in Sweden, and there the use of snus is strongly associated with quitting smoking.' [Royal College of Physicians, Tobacco Advisory Group \(2016\). Nicotine without smoke: Tobacco harm reduction](#)

“The overwhelming amount of death and disease attributable to tobacco is caused by addiction to cigarettes – the only legal consumer product that, when used as intended, will kill half of all long-term users”

“Envisioning a world where cigarettes would no longer create or sustain addiction, and where adults who still need or want nicotine could get it from alternative and less harmful sources, needs to be the cornerstone of our efforts – and we believe it’s vital that we pursue this common ground.

FDA Commissioner Scott Gottlieb, M.D July 30 2017