

## Call for Evidence

### Ministry of Health, Welfare and Sport - the Netherlands

June 12, 2026

In this document, a list of evidence for future proof tobacco and other nicotine product regulation measures is provided on the basis of a number of themes. This document draws on the tenth WHO report on the scientific basis of tobacco product regulation<sup>1</sup> and a number of studies of the Dutch National Institute for Public Health and the Environment (RIVM), along with a number of recent studies on amongst others the harms of tobacco, vaping and other nicotine products.

#### 1. Flavour bans are necessary to protect young people

It is important to implement extensive flavour bans for all tobacco products, e-cigarettes and other products with nicotine. There is comprehensive literature showing that flavours are one of the main drivers for nicotine uptake in youth.<sup>2</sup> For example, the Netherlands has implemented a comprehensive flavour ban for all flavours except tobacco on the basis of allowed additives.<sup>3</sup> Recent findings show that flavour bans are effective in decreasing youth uptake of nicotine - one in five vapers reported quitting vaping because of the flavour ban in The Netherlands.<sup>4</sup> A systematic review supports extending flavour bans to waterpipe products, which are often appealing to young users due to their variety of flavours.<sup>5</sup> Additionally, cigarette-lookalike cigarillos with flavours are available on the market specifically targeting former users of flavoured cigarettes.<sup>6</sup> Implementing a flavour ban is crucial to address this loophole and prevent the continued appeal of these products. WHO recommends to comprehensively ban all flavours (except tobacco flavours) in all tobacco, nicotine and related products, including flavour accessories<sup>7</sup>, to make them less attractive and appealing, especially to children and young people. A ban is proposed on all additives and flavouring agents in tobacco products, including flavour accessories that may be used to increase their palatability and appeal, thus promoting initiation and sustained tobacco use - particularly among young people.<sup>8</sup> Additives have no beneficial effects on health. Furthermore, additives can be toxic or can lead to toxicants created by pyrolysis. WHO also advises to implement a comprehensive ban of all forms of promotion that depict, reference or suggest flavours.<sup>9,10</sup>

The importance of regulating products such as vaping products is becoming more and more clear. For example, the evidence that vaping products, which are often used simultaneously with normal tobacco, cause cancer is coming to light.<sup>11,12</sup>

#### 2. Ban nicotine pouches and all other future products that contain nicotine but not tobacco

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- <sup>1</sup> WHO study group on tobacco product regulation, 2025. [WHO study group on tobacco product regulation: report on the scientific basis of tobacco product regulation: tenth report of a WHO study group](#)
  - <sup>2</sup> Everaert et al, 2026. [Toxicity and Appeal of Flavoured E-Cigarettes and Flavour Ban Outcomes: A Narrative Review - PubMed](#)
  - <sup>3</sup> RIVM, 2024. [Reducing attractiveness of e-liquids: proposal for a restrictive list of tobacco-related flavourings - PubMed](#)
  - <sup>4</sup> RIVM, 2026. [Reduced vaping and smoking prevalence among people using e-cigarettes after implementation of an e-cigarette flavour ban in the Netherlands - PubMed](#)
  - <sup>5</sup> RIVM, 2020. [Options for waterpipe product regulation: A systematic review on product characteristics that affect attractiveness, addictiveness and toxicity of waterpipe use - PubMed](#)
  - <sup>6</sup> RIVM, 2023. [Circumventing cigarette regulation: Product characteristics of cigarette-like cigarillos on the Dutch market - PubMed](#)
  - <sup>7</sup> RIVM, 2025. [Across the world availability of flavour accessories for tobacco products - PubMed](#)
  - <sup>8</sup> FCTC/COP, 2025. Document FCTC/COP/11/5, 29 August 2025. [Forward-looking tobacco control measures \(in relation to Article 2.1 of the WHO FCTC\). Report by the Expert Group.](#)
  - <sup>9</sup> WHO study group on tobacco product regulation, 2025. [WHO study group on tobacco product regulation: report on the scientific basis of tobacco product regulation: tenth report of a WHO study group](#)
  - <sup>10</sup> WHO, 2025. [Sweet flavours and bright colours lure youth into nicotine addiction](#)
  - <sup>11</sup> Stewart et al., 2025. [The carcinogenicity of e-cigarettes: a qualitative risk assessment - PubMed](#)
  - <sup>12</sup> Trimbos-instituut, 2023. [Factsheet elektronische sigaretten](#) (in Dutch)

WHO recommends to ban all nicotine pouches, as they are an attractive way for young people to get addicted to nicotine.<sup>13</sup> WHO describes the marketing tactics, using influencers and social media the nicotine industry uses to try and get as many people addicted to nicotine pouches as possible.<sup>14</sup> This is harmful to public health, because in fact, all products containing nicotine are harmful to health.<sup>15,16</sup> To effectively protect young people from new forms of nicotine addiction, it is necessary to implement a total ban on the introduction of any new products containing nicotine. This should include products designed for nicotine uptake via any route (oral, inhalation, or otherwise) and where nicotine is added during the manufacture, or is added by the user before or during consumption. Such measures are necessary to prevent the industry from using successive nicotine product introductions to lure young people into nicotine addiction.

### 3. Stricter product regulation for nicotine products without tobacco for inhalation

There is compelling evidence that stricter product regulation is necessary to decrease product appeal of nicotine products without tobacco for inhalation. WHO and RIVM recommend stricter product regulation at a wide range of product characteristics such as product appearance, toxic, addictive and appealing ingredients other than tobacco, levels of nicotine and nicotine analogues, filters and TRPM-8 receptor inhibitors.<sup>17,18</sup>

### 4. Change methods for measuring TNCO

Industry circumvents the amounts of allowed Tar, Nicotine and Carbon Monoxide (TNCO) in cigarettes using small holes in filters when measured with the classic ISO method. When cigarettes emissions are measured using the WHO Toblabnet-method, higher amounts of these emissions are found. Therefore, it is necessary to implement the Toblabnet measuring method into the TPD.<sup>19</sup>

### 5. Youth focused policies

It is important that the TPD should include specific youth focused measures that should limit appeal or prohibit access, including a flavour ban, a ban of sale of single rod or stick cigarillos, little cigars or heated tobacco products (HTP), a ban of disposable e-cigarettes, and a ban of internet sales and vending machine sales.<sup>20</sup>

### 6. Stricter bans on promotions

A stricter comprehensive ban on promotion and advertising, as per Article 13 of the WHO FCTC, is called for. It is necessary to close loopholes that enable use of new channels and venues.<sup>21,22</sup> Exposure to e-cigarette advertising, promotion, and sponsorship, most notably across digital,

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<sup>13</sup> WHO, 2026. Exposing marketing tactics nicotine pouches: [Exposing marketing tactics and strategies driving the global growth of nicotine pouches](#)

<sup>14</sup> WHO, 2026. Exposing marketing tactics nicotine pouches: [Exposing marketing tactics and strategies driving the global growth of nicotine pouches](#)

<sup>15</sup> RIVM, 2025. [Advisory values for maximum emission of nicotine and 6-methylnicotine from nicotine products without tobacco for inhalation](#) and Castro et al., 2023. [Nicotine on the developing brain](#)

<sup>16</sup> Münzel et al., 2025. [Nicotine and the cardiovascular system: unmasking a global public health threat - Pubmed](#)

<sup>17</sup> RIVM, 2024. [Options to reduce e-cigarette appeal by regulating the appearance and functionality. Towards a nicotine-free generation.](#)

<sup>18</sup> WHO, 2026. Exposing marketing tactics nicotine pouches: [Exposing marketing tactics and strategies driving the global growth of nicotine pouches](#), chapters 2,4,5,6 and 7.

<sup>19</sup> RIVM, 2023. [Methods for determining TNCO in tobacco smoke.](#)

<sup>20</sup> WHO study group on tobacco product regulation, 2025. [WHO study group on tobacco product regulation: report on the scientific basis of tobacco product regulation: tenth report of a WHO study group](#), chapter 2

<sup>21</sup> WHO study group on tobacco product regulation, 2025. [WHO study group on tobacco product regulation: report on the scientific basis of tobacco product regulation: tenth report of a WHO study group](#)

<sup>22</sup> Saebo et al., 2026. [Mapping loopholes in the current regulation of tobacco advertising, promotion, and sponsorship in Europe: a scoping review - PubMed](#)

social media, and retail environments, was found to be consistently associated with heightened susceptibility, stronger intentions to use, and increased uptake. It is therefore important to reinforce regulatory attention to marketing activities in digital and retail spaces, particularly to safeguard youth and other vulnerable groups.<sup>23</sup>

## 7. Regulation of devices

To reduce the attractiveness of nicotine delivery devices, such as e-cigarettes and HTP, it is essential to restrict unnecessary features and designs that do not contribute to nicotine delivery. Devices should be limited to functionalities strictly required for nicotine administration or e-liquid consumption. For example, features like lights, LED screens, and other interactive elements should be prohibited. Belgium has already implemented such limitations, focusing devices solely on their intended purpose.<sup>24</sup> In addition, the appearance of these devices, particularly their colour, plays a significant role in their appeal. A recent study showed that even when e-cigarettes contain identical tobacco flavours, people perceive a red vape as sweeter and more appealing than a white or brown one, simply based on visual cues.<sup>25</sup> These findings support the inclusion of colour regulation within broader flavour restriction policies.<sup>26</sup> Furthermore, a factsheet by RIVM describes several options for reducing the appeal of e-cigarettes, including restrictions on design and appearance.<sup>27</sup> Another important aspect is the regulation of device settings that influence nicotine uptake. By limiting adjustable settings—such as power, temperature, or airflow—that can affect the amount of nicotine inhaled, it is possible to further decrease the attractiveness and abuse potential of e-cigarettes. Restricting these parameters can help ensure that devices are used only for their intended purpose and do not encourage higher nicotine consumption.<sup>28</sup> Such measures can help decrease the attractiveness of these products, especially to young people.

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<sup>23</sup> Prajongjeep et al., 2025. [Impact of e-cigarette advertising, promotion, and sponsorship on cognition and behavior: a systematic review of public responses - PubMed](#)

<sup>24</sup> WHO, 2025. <https://www.who.int/europe/news/item/21-05-2025-tobacco-control-in-belgium--aim-high---act-now>

<sup>25</sup> RIVM, 2026. [Device color influences e-cigarette flavor expectations, perception, and appeal.](#)

<sup>26</sup> Tattan-Birch et al., 2025. Tob Control. 2025 May 20. [Impact of standardising the colour and branding of vape devices on product appeal among young people: a randomised experiment in England, Canada and the United States - PubMed](#)

<sup>27</sup> RIVM, 2024. [Options to reduce e-cigarette appeal by regulating the appearance and functionality. Towards a nicotine-free generation.](#)

<sup>28</sup> DeVito and Krishnan-Sarin, 2018. [E-cigarettes: Impact of E-Liquid Components and Device Characteristics on Nicotine Exposure - PubMed](#) and Talih et al., 2015. [Effects of user puff topography, device voltage, and liquid nicotine concentration on electronic cigarette nicotine yield: measurements and model predictions - PubMed](#)