

The Swedish National Food Agency's Code of Statutes

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Livsmedelsverkets föreskrifter om snus, snusliknande produkter och tuggtobak;

**LIVSFS
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adopted on 16 February 2024.

By virtue of Sections 5-7, 30 and 31 of the Food Ordinance (2006:813), the Swedish National Food Agency lays down¹ the following.

Scope

Section 1 These regulations contain provisions on snus, snus-like products and chewing tobacco intended to be made available to consumers on the Swedish market.

Provisions on the products covered by these regulations can also be found in the Act (2018:2088) on Tobacco and Similar Products and in the Act (2022:1257) on Tobacco-free Nicotine Products.

Terms and definitions

Section 2 For the purposes of these regulations:

1. the term food additives is as defined in Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives;
2. the following terms are as defined in Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use

¹ See Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

in and on foods and amending Council Regulation (EEC) No 1601/91,- Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC:

- flavouring;
 - smoke flavouring; and
 - food with flavouring properties; and
3. the term materials and articles intended to come into contact with food means materials and articles covered by Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC.

Ingredients

Section 3 With the exception of tobacco and nicotine, and the ingredients specifically regulated below, snus, snus-like products and chewing tobacco shall not contain ingredients presenting a risk to human health.

Additives

Section 4 Only those food additives listed in the Annex to these regulations may be included in snus and chewing tobacco. Conditions for use are specified in the Annex.

Food additives shall be used for the functions set out in Annex I to Regulation (EC) No 1333/2008 and shall comply with the specifications applicable to that food additive in accordance with Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council.

Flavourings

Section 5 Only such flavourings, including smoke flavourings, and foods with flavouring properties as may be used in foods, may be included in snus and chewing tobacco to give or alter its smell or taste.

Novel foods

Section 6 Foods covered by Regulation (EC) No 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001 may be included in

snus and chewing tobacco, if they are authorised in accordance with that Regulation.

Water

Section 7 The water used in the production and preparation of snus, snus-like products and chewing tobacco shall comply with the requirements laid down in the Swedish National Food Agency's Regulations (LIVSFS 2022:12) on drinking water.

Contaminants

Section 8 Snus, snus-like products and chewing tobacco shall not contain:

- lead in quantities above 3 mg/kg;
- aflatoxins B¹, B², G¹ and G² (in total) in quantities above 0.005 mg/kg; or
- benzo[a]pyrene in quantities above 0.003 mg/kg dry weight.

Snus and chewing tobacco shall also not contain tobacco-specific nitrosamines NNN and NNK (in total) in quantities above 2 mg/kg dry weight.

Dry weight shall be determined by an established method which has been shown to determine this content accurately.

Hygiene

Section 9 Operators engaged in the manufacture of snus, snus-like products or chewing tobacco shall, where necessary to maintain satisfactory hygiene, comply with Annex II to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs as follows:

1. general requirements for premises in Chapter I;
2. specific requirements for premises in Chapter II;
3. transport in Chapter IV, with the exception of point 4;
4. equipment in Chapter V;
5. food waste in Chapter VI;
6. water supply in Chapter VII;
7. personal hygiene in Chapter VIII;
8. foodstuffs in Chapter IX, points 1-5; and
9. training in Chapter XII.

Hazard analysis and critical control points

Section 10 Operators engaged in the manufacture of snus, snus-like products or chewing tobacco shall, where necessary to comply with the requirements of these regulations:

1. establish, implement and maintain one or more permanent procedures based on the HACCP principles in accordance with Article 5(2) of Regulation (EC) No 853/2004 of the European Parliament and of the Council;
2. ensure that all documentation drawn up describing the procedures in accordance with point 1 is up to date; and
3. keep documentation and records for an appropriate period of time.

Materials and articles in contact with snus, snus-like products and chewing tobacco

Section 11 Materials and articles that come into contact with snus, snus-like products and chewing tobacco shall meet the requirements for the composition and properties of materials and articles intended to come into contact with food.

Information on packaging

Section 12 The following information shall be provided on packages of snus, snus-like products and chewing tobacco supplied directly to the consumer:

1. net quantity in grams;
2. date of manufacture;
3. storage instructions, if storage is important for shelf life;
4. name and address of the manufacturer, packager or seller. The address may be replaced by the website or telephone number of the manufacturer, packager or seller within Sweden.

Section 13 The designation of the product, namely snus or chewing tobacco, shall be provided on packages of snus or chewing tobacco supplied directly to the consumer.

A trade mark, brand name or invented name may not be used in place of the designation of the product.

Section 14 A list of all ingredients included in the product in descending order of weight (declaration of ingredients) shall be provided on packaging of nicotine-free snus-like products supplied directly to the consumer.

Section 15 The information to be provided on packaging of snus, snus-like products and chewing tobacco in accordance with Sections 12-14 shall be in Swedish. Another language may be used if the language differs from Swedish only insignificantly.

The information shall also be highly visible, clearly legible, permanent and easy to understand.

Traceability

Section 16 Snus, snus-like products and chewing tobacco, as well as the ingredients included in these products, shall be traceable at all stages of the production, processing and distribution chain of snus, snus-like products, or chewing tobacco.

Operators engaged in the manufacture of snus, snus-like products or chewing tobacco shall have systems and procedures in place to identify the actors from which they obtained ingredients intended for or likely to be included in snus, snus-like products or chewing tobacco as well as all actors who have obtained their products, but not consumers.

Registration

Section 17 Operators engaged in the manufacture of snus, snus-like products or chewing tobacco shall notify their manufacturing facilities in writing for registration to the authority competent to register the facilities under Section 23 of the Foodstuff Ordinance (2006:813).

Section 18 Notifications for the registration of manufacturing facilities shall contain the following information on the operator and the facility:

1. name and contact details;
2. corporate identity number, personal identity number, coordination number or, in the absence of such information for a person established in another country within the European Economic Area (EEA), corresponding identification data;
3. information on the premises, space or location where the operations are to be conducted;
4. a description of the nature and scope of the operation;
5. where appropriate, information on how long the operation will be conducted.

Upon request, the operator shall also provide the additional information necessary for the handling of the notification.

Section 19 Operations at a facility to be notified for registration may commence once the authority has registered the facility. However, operations may commence two weeks after the notification has been received by the authority if the authority still has not yet registered the facility.

Obligation to provide information

Section 20 Operators engaged in the manufacture of snus, snus-like products or chewing tobacco shall ensure that the authority has up-to-date information on the registered facilities, including by notifying the authority of significant changes to its operations and of closures of existing facilities.

1. These regulations enter into force on 1 January 2024.
2. These regulations repeal the Swedish National Food Agency's regulations (LIVSFS 2012:6) on snus and chewing tobacco.
3. For operators engaged in the manufacture of snus-like products, the provisions on registration in Sections 17-19 shall apply from 1 October 2024. However, the provision in Section 19 does not apply to operations commenced before 1 October 2024.
4. Packages of snus-like products that do not comply with the provisions of Sections 12, 14 and 15 may be made available to consumers on the Swedish market until stocks are exhausted, provided that they have been placed on the market or labelled before 1 October 2024.
5. Snus or chewing tobacco containing titanium dioxide (E 171) may be made available to consumers on the Swedish market until stocks are exhausted, provided that they have been placed on the market or packaged before 1 October 2024.

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Food additives permitted for the purposes of Section 4

Conditions. If no maximum content is given below, the food additives may be used according to the *quantum satis* principle, i.e. no maximum content is set for use. However, additives must be used in accordance with good manufacturing practice, at a level not higher than necessary to achieve the desired purpose, and in such a way as not to mislead consumers.

E number	Name and conditions
E 101	(i) Riboflavin (ii) Riboflavin-5'-phosphate
E 140	Chlorophylls and chlorophyllins
E 141	Copper complexes of chlorophylls and chlorophyllins
E 150a	Plain caramel
E 150b	Caustic sulphite caramel
E 150c	Caramel, ammonia process
E 150d	Sulphite ammonia caramel
E 153	Carbo medicinalis (vegetable carbon)
E 160a	Carotenes
E 160c	Paprika extract, capsanthin, capsorubin
E 162	Beetroot red, betanin
E 163	Anthocyanins
E 170	Calcium carbonate
E 172	Iron oxides and iron hydroxides
E 202	Potassium sorbate; max 2 g/kg
E 260	Acetic acid
E 261	Potassium acetate
E 262	Sodium acetates (i) Sodium acetate (ii) Sodium hydrogen acetate (sodium diacetate)
E 263	Calcium acetate
E 270	Lactic acid
E 280-283	Propionic acid and propionates; max 2 g/kg
E 290	Carbon dioxide
E 296	Malic acid

E number	Name and conditions
E 300	Ascorbic acid
E 301	Sodium ascorbate
E 302	Calcium ascorbate
E 304	Fatty acid esters of ascorbic acid (i) Ascorbyl palmitate (ii) Ascorbyl stearate
E 306	Tocopherol-rich extract
E 307	Alpha-tocopherol
E 308	Gamma-tocopherol
E 309	Delta-tocopherol
E 319	Tertiary butylhydroquinone (TBHQ); max 300 mg/kg
E 322	Lecithins
E 325	Sodium lactate
E 326	Potassium lactate
E 327	Calcium lactate
E 330	Citric acid
E 331	Sodium citrates (i) Monosodium citrate (ii) Disodium citrate (iii) Trisodium citrate
E 332	Potassium citrates (i) Monopotassium citrate (ii) Tripotassium citrate
E 333	Calcium citrates (i) Monocalcium citrate (ii) Dicalcium citrate (iii) Tricalcium citrate
E 334	L-tartaric acid
E 335	Sodium tartrates (i) Monosodium tartrate (ii) Disodium tartrate
E 336	Potassium tartrates (i) Monopotassium tartrate (ii) Dipotassium tartrate
E 337	Potassium sodium tartrate
E 350	Sodium malates (i) Sodium malate (ii) Sodium hydrogen malate
E 351	Potassium malate

E number	Name and conditions
E 352	Calcium malates (i) Calcium malate (ii) Calcium hydrogen malate
E 354	Calcium tartrate
E 380	Triammonium citrate
E 400	Alginic acid
E 401	Sodium alginate
E 402	Potassium alginate
E 403	Ammonium alginate
E 404	Calcium alginate
E 406	Agar
E 407	Carrageenan (may be standardised with sugars if this is stated in addition to the number and name)
E 407a	Processed Eucheuma seaweed (may be standardised with sugars if this is stated in addition to the number and name)
E 410	Locust bean gum (not in the production of dehydrated products intended to rehydrate on ingestion)
E 412	Guar gum (not in the production of dehydrated products intended to rehydrate on ingestion)
E 413	Tracacanth
E 414	Gum arabic (acacia gum)
E 415	Xanthan gum (not in the production of dehydrated products intended to rehydrate on ingestion)
E 417	Tara gum (not in the production of dehydrated products intended to rehydrate on ingestion)
E 418	Gellan gum
E 420	Sorbitol; max 100 g/kg
E 421	Mannitol (for use other than as a sweetener)
E 422	Glycerol
E 425	Konjac; max 10 g/kg (i) Konjac gum (ii) Konjac glucomannan
E 440	Pectins (may be standardised with sugars if this is stated in addition to the number and name) (i) Pectin (ii) Amidated pectin
E 460	Cellulose (i) Microcrystalline cellulose (ii) Powdered cellulose
E 461	Methyl cellulose
E 462	Ethyl cellulose
E 463	Hydroxypropyl cellulose

E number	Name and conditions
E 464	Hydroxypropyl methyl cellulose
E 465	Methyl ethyl cellulose
E 466	Sodium carboxy methyl cellulose, cellulose gum
E 469	Enzymatically hydrolysed carboxy methyl cellulose, Enzymatically hydrolysed cellulose gum
E 470a	Sodium, potassium and calcium salts of fatty acids
E 470b	Magnesium salts of fatty acids
E 471	Mono- and diglycerides of fatty acids
E 472a	Acetic acid esters of mono- and diglycerides of fatty acids
E 472b	Lactic acid esters of mono- and diglycerides of fatty acids
E 472c	Citric acid esters of mono- and diglycerides of fatty acids
E 472d	Tartaric acid esters of mono- and diglycerides of fatty acids
E 472e	Mono- and diacetyl tartaric acid esters of mono- and
E 472f	diglycerides of fatty acids Mixed acetic and tartaric esters of mono- and diglycerides of fatty acids
E 500	Sodium carbonates (i) Sodium carbonate (ii) Sodium hydrogen carbonate (iii) Sodium sesquicarbonate
E 501	Potassium carbonates (i) Potassium carbonate (ii) Potassium hydrogen carbonate
E 503	Ammonium carbonates (i) Ammonium carbonate (ii) Ammonium hydrogen carbonate
E 504	Magnesium carbonates (i) Magnesium carbonate (ii) Magnesium hydroxide carbonate (magnesium hydrogen carbonate)
E 507	Hydrochloric acid
E 508	Potassium chloride
E 509	Calcium chloride
E 511	Magnesium chloride
E 513	Sulphuric acid
E 514	Sodium sulphates (i) Sodium sulphate (ii) Sodium hydrogen sulphate
E 515	Potassium sulphates (i) Potassium sulphate (ii) Potassium hydrogen sulphate
E 516	Calcium sulphate

E number	Name and conditions
E 524	Sodium hydroxide
E 525	Potassium hydroxide
E 526	Calcium hydroxide
E 527	Ammonium hydroxide
E 528	Magnesium hydroxide
E 529	Calcium oxide
E 530	Magnesium oxide
E 570	Fatty acids
E 574	Gluconic acid
E 575	Glucono-delta-lactone
E 576	Sodium gluconate
E 577	Potassium gluconate
E 578	Calcium gluconate
E 640	Glycine and its sodium salt
E 620	Glutamic acid
E 621	Monosodium glutamate
E 622	Monopotassium glutamate
E 623	Calcium glutamate
E 624	Monoammonium glutamate
E 625	Magnesium diglutamate
E 626	Guanylic acid
E 627	Disodiumguanylate
E 628	Dipotassium guanylate
E 629	Calcium guanylate
E 630	Inosinic acid
E 631	Disodium inosinate
E 632	Dipotassium inosinate
E 633	Calcium inosinate
E 634	Calcium-5'-ribonucleotides
E 635	Disodium 5'-ribonucleotides
E 901	Beeswax, white and yellow; max 600 mg/kg
E 903	Carnauba wax max 200 mg/kg
E 904	Shellac; max 600 mg/kg
E 938	Argon
E 939	Helium

10 g/kg, individually
or in combination, expressed as
glutamic acid

500 mg/kg, individually
or in combination, expressed as
guanylic acid

max 600 mg/kg
in total

E number	Name and conditions
E 941	Nitrogen
E 942	Nitrous oxide
E 948	Oxygen
E 949	Hydrogen
E 950	Acesulfame-K; max 4 g/kg
E 953	Isomalt (for use other than as a sweetener)
E 954	Saccharin; max 2.5 g/kg
E 965	Maltitol (for use other than as a sweetener) (i) Maltitol (ii) Maltitol syrup
E 966	Lactitol (for use other than as a sweetener)
E 967	Xylitol (for use other than as a sweetener)
E 968	Erythritol (for use other than as a sweetener)
E 1103	Invertase
E 1200	Polydextrose
E 1201	Polyvinyl pyrrolidone, max. 30 g/kg
E 1404	Oxidised starch
E 1410	Monostarch phosphate
E 1412	Distarch phosphate
E 1413	Phosphated distarch phosphate
E 1414	Acetylated distarch phosphate
E 1420	Starch acetate
E 1422	Acetylated distarch adipate
E 1440	Hydroxypropyl starch
E 1442	Hydroxy propyl distarch phosphate
E 1450	Starch sodium octenyl succinate
E 1451	Acetylated oxidised starch
E 1520	Propylene glycol; max 40 g/kg