



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Message 115

Communication from the Commission - TRIS/(2025) 1337

Directive (EU) 2015/1535

Notification: 2025/0110/FR

Forwarding of a detailed opinion received by a Member State (Sweden) (article 6, paragraph 2, second indent of Directive (EU) 2015/1535). This detailed opinion extends the standstill period until 25-08-2025.

Detailed opinion - Avis circonstancié - Ausführliche Stellungnahme - Подробно становище - Podrobné stanovisko - Udførlig udtalelse - Εμπεριστατωμένη γνώμη - Dictamen circunstanciado - Üksikasjalik arvamus - Yksityiskohtainen lausunto - Detaljno mišljenje - Részletes vélemény - Parere circostanziato - Išsamiai išdėstyta nuomonė - Sīki izstrādāts atzinums - Opinioni dettaljata - Uitvoerig gemotiveerde mening - Opinia szczegółowa - Parecer circunstanciado - Avis detaliat - Podrobné stanovisko - Podrobno mnenje - Detaljerat yttrande

Extends the time limit of the status quo until 25-08-2025. - Prolonge le délai de statu quo jusqu'au 25-08-2025. - Die Laufzeit des Status quo wird verlängert bis 25-08-2025. - Удължаване на крайния срок на статуквото до 25-08-2025. - Prodłużuje lhůtu současného stavu do 25-08-2025. - Fristen for status quo forlænges til 25-08-2025. - Παρατείνει την προθεσμία του status quo 25-08-2025. - Amplía el plazo de statu quo hasta 25-08-2025. - Praeguse olukorra tähtaega pikendatakse kuni 25-08-2025. - Jatkaa status quon määraaika 25-08-2025 asti. - Produžuje se vremensko ograničenje statusa quo do 25-08-2025. - Meghosszabbítja a korábbi állapot határidejét 25-08-2025-ig. - Proroga il termine dello status quo fino al 25-08-2025. - Status quo terminas pratęsiamas iki 25-08-2025. - Pagarina "status quo" laika periodu līdz 25-08-2025. - Jestendi t-terminu tal-istatus quo sa 25-08-2025. - De status-quo periode wordt verlengd tot 25-08-2025. - Przedłużenie status quo do 25-08-2025. - Prolonga o prazo do statu quo até 25-08-2025. - Prelungește termenul status quo-ului până la 25-08-2025. - Predlžuje sa lehota súčasného stavu do 25-08-2025. - Podaljša rok nespremenjenega stanja do 25-08-2025. - Förlänger tiden för status quo fram till 25-08-2025.

The Commission received this detailed opinion on the 22-05-2025. - La Commission a reçu cet avis circonstancié le 22-05-2025. - Die Kommission hat diese ausführliche Stellungnahme am 22-05-2025 empfangen. - Комисията получи настоящото подробно становище относно 22-05-2025. - Komise obdržela toto podrobné stanovisko dne 22-05-2025. - Kommissionen modtog denne udførlige udtalelse den 22-05-2025. - Η Επιτροπή έλαβε αυτή την εμπεριστατωμένη γνώμη στις 22-05-2025. - La Comisión recibió el dictamen circunstanciado el 22-05-2025. - Komisjon sai üksikasjaliku arvamuse 22-05-2025. - Komissio sai tämän yksityiskohtaisen lausunnon 22-05-2025. - Komisija je zaprimila ovo detaljno mišljenje dana 22-05-2025. - A Bizottság 22-05-2025-án/-én kapta meg ezt a részletes véleményt. - La Commissione ha ricevuto il parere circostanziato il 22-05-2025. - Komisija gavo šią išsamiai išdėstytą nuomonę 22-05-2025. - Komisija saņēma šo sīki izstrādāto atzinumu 22-05-2025. - Il-Kummissjoni rċeviet din l-opinioni dettaljata dwar il-22-05-2025. - De Commissie heeft deze uitvoerig gemotiveerde mening op 22-05-2025 ontvangen. - Komisja otrzymała tę opinię szczegółową w dniu 22-05-2025. - A Comissão recebeu o presente parecer circunstanciado em 22-05-2025. - Comisia a primit avizul detaliat privind 22-05-2025. - Komisia dostala toto podrobné stanovisko dňa 22-05-2025. - Komisija je to podrobno mnenje prejela dne 22-05-2025. - Kommissionen mottog detta detaljerade yttrande om 22-05-2025. - Fuair an Coimisiún an tuairim mhionsonraithe sin maidir le 22-05-2025.

MSG: 20251337.EN

1. MSG 115 IND 2025 0110 FR EN 25-08-2025 22-05-2025 SE DO 6.2(2) 25-08-2025

2. Sweden

3A. Kommerskollegium



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3B. Utrikesdepartementet

4. 2025/0110/FR - X00M - GOODS AND MISCELLANEOUS PRODUCTS

5. article 6, paragraph 2, second indent of Directive (EU) 2015/1535

6. The free movement of goods is a core principle of the free market and a core value of the Swedish Government. A total ban on the sale of certain goods restricts free movement. The Government actively monitors proposals and negotiations at an international and EU level that affect the free movement of white snuff and the conditions for global trade in white snus (nicotine pouches). The Government is concerned that freedom of movement will be adversely affected if individual Member States impose total bans.

The French proposal constitutes a prohibited measure under articles 34 and 35 of the Treaty on the Functioning of the European Union, which prohibits quantitative restrictions on imports and exports and measures having equivalent effect between Member States. The proposal risks serious harm to the free movement within the EU internal market as it prohibits all exports and imports of tobacco-free nicotine products.

The proposal risks having negative public health consequences. Cigarettes and smoking tobacco pose a greater health risk than smokeless tobacco and nicotine products such as snus. According to the OECD, smoking is the single most important cause of most diseases such as certain forms of cancer, heart attacks and strokes. In the OECD, lung cancer is the leading cause of cancer mortality and smoking is the leading risk factor for lung cancer. While the proportion of Swedish men over 15 years of age who smoke daily is 5.9 per cent, which is significantly lower than the EU average of 22.3 per cent, the age-adjusted standardised death rate for lung cancer among men (33.1 per 100,000 inhabitants) in Sweden is also significantly lower than the EU average of 69.9, according to Eurostat. To the extent that snus replaces cigarette consumption, the Swedish Government considers this to be a positive development from a public health perspective.

France has justified the proposal on the grounds that it will protect human life and health. It is also clear from case law that, in the absence of harmonisation, where there is uncertainty as to the danger of a product, Member States may decide how far they wish to go in order to ensure the protection of life and health. However, this must comply with the principle of proportionality. In the context of a proportionality assessment, it must be possible to prove that the proposal indeed achieves a legitimate protection interest. In its notification, France has not explained why other, less restrictive measures would not be sufficient and proportionate to the objective pursued by the regulation.

The Government considers that the proposal is a far-reaching total ban that risks serious harm to the free movement of goods in the EU internal market and that the proposal can hardly be justified on the basis of the principle of proportionality in EU law.

European Commission

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