The EU survey - sample answers and reasoning

On 22 May 2026, the European Commission published a survey [Tobacco products and tobacco advertising – revision of EU rules] to support the development of the next round of tobacco and nicotine product regulation, with Commission proposals expected later in 2026. The text below reproduces the 23 survey questions and available answers, with sample answers and reasoning.

1. To what extent do you agree with the following statement:
Measures and policies aimed at protecting people from the effects of tobacco and nicotine consumption, as well as from second-hand tobacco smoke and aerosols, are beneficial for society.

- ☐ Agree
- ☐ Partly agree
- ☐ Neither agree nor disagree
- ☐ Partly disagree
- ☑ Disagree
- ☐ Don’t know

Q1 sample answer and reasoning
Measures and policies are not specified, no differentiation between products.

2. In your view, which products are most attractive to young people
Between 1 and 3 selections

- ☐ Nicotine e-cigarettes, including e-cigarettes with flavours and disposable e-cigarettes
- ☐ Nicotine-free e-cigarettes, including those with flavours
- ☐ Heated tobacco products
- ☐ Nicotine pouches, including those with flavours
- ☑ Cigarettes/roll-your-own tobacco
- ☐ Waterpipe tobacco, including those with flavours
- ☐ Other (specify)
- ☐ Don't know

Q2 sample answer and reasoning
Combustible tobacco is the dominant and most available category in the EU. The harmful products should be the focus of regulation.

3. In your view, which products are most attractive to those aged 25 and over
Between 1 and 3 selections

- ☐ Nicotine e-cigarettes, including e-cigarettes with flavours and disposable e-cigarettes

- ☐ Nicotine-free e-cigarettes, including those with flavours
- ☐ Heated tobacco products
- ☐ Nicotine pouches, including those with flavours
- ☑ Cigarettes/roll-your-own tobacco
- ☐ Waterpipe tobacco, including those with flavours
- ☐ Other (specify)
- ☐ Don't know

Q3 sample answer and reasoning
Combustible tobacco is the dominant and most available category in the EU. The harmful products should be the focus of regulation.

4. Are you a current user or ex-user of tobacco, nicotine or non-nicotine products?

- ☑ Yes
- ☐ No

Q4 sample answer and reasoning
Self explanatory.

5. At what age did you start using tobacco, nicotine or non-nicotine products?
[if answered yes to Q4]

at least 1 answered row(s)

	Under 16 years	16-18 years	19-24 years	25+ years	Don't know
Tobacco products	○	○	○	○	○
Nicotine products	○	○	○	○	○
Nicotine-free e-cigarettes and herbal products	○	○	○	○	○

Q5 sample answer and reasoning
Self explanatory.

6. At what age do you think young people start using tobacco, nicotine or non-nicotine products?

	Under 16 years	16-18 years	19-24 years	Don't know
*Tobacco products	○	○	○	○
*Nicotine products	○	○	○	○
*Nicotine-free e-cigarettes and herbal products	○	○	○	○

Q6 sample answer and reasoning

Don’t know. It’s an opinion and the EU should already have this data.

7. In your view, through which channels do young people most commonly obtain tobacco, nicotine and non-nicotine products?

	Friends	Family members	Retail shops (in-person)	Online retailers from the young people's country	Online retailers other than from the young people's country	Sellers on social media/messaging apps	Informal sellers/black market	Other (specify)	Don't know
*Tobacco products	☐	☐	☐	☐	☐	☐	☐	☐	☐
*Nicotine products	☐	☐	☐	☐	☐	☐	☐	☐	☐
*Nicotine-free e-cigarettes and herbal products	☐	☐	☐	☐	☐	☐	☐	☐	☐

Q7 sample answer and reasoning
Friends and other (illicit channels) that don’t have age controls. The Commission should have this data.

8. The heated tobacco products market (including tobacco heating devices) reached 12.5 billion EUR in 2023, compared to just 4 million EUR in 2013. The EU e-cigarette market grew from 909 million EUR in 2012 to 5 billion EUR in 2023. Nicotine pouches have seen a similar surge, with sales value increasing from 61 million EUR in 2018 to 1 billion EUR in 2023.

To what extent do you agree with the following statement:
Market developments and consumption trends have increased the availability, popularity and use of heated tobacco products, e-cigarettes, and nicotine pouches, particularly among the following groups.

	Agree	Partly agree	Neither agree nor disagree	Partly disagree	Disagree	Don't know
*Among people aged 24 years or less (young people)	○	○	○	○	○	○
*Among people aged between 25 and 34 years	○	○	○	○	○	○
*Among people aged between 35 and 54 years	○	○	○	○	○	○
*Among people aged 55 years or more	○	○	○	○	○	○

Q8 sample answer and reasoning
Disagree for all categories. Consumers switch to less harmful products for personal reasons (financial & health).

9. New forms of digital promotion of tobacco and nicotine products have emerged since the adoption of the TAD in 2003. These include promotion on social media platforms, online marketplaces, through influencers, on streaming services, in online video games, in music videos, and in user-generated content without any financial consideration. User-generated content is any content made by individuals without any financial consideration, not by a brand or professional publisher.
To what extent do you agree with the following statement:
The exposure of young people to these new forms of digital promotion of tobacco and nicotine products influences their use and/or uptake of use.

- ☐ Agree
- ☐ Partly agree
- ☐ Neither agree nor disagree
- ☐ Partly disagree
- ☑ Disagree
- ☐ Don't know

Q9 sample answer and reasoning
This is a scientific question, causality is impossible to establish. Genuine user content without remuneration cannot be considered as advertising/promotion.

10. To what extent do you agree with the following statement:
Further EU action under the EU tobacco control legislation is needed regarding the following promotion practices to reduce the uptake of tobacco, nicotine and non-nicotine products.

	Agree	Partly agree	Neither agree nor disagree	Partly disagree	Disagree	Don't know
*User-generated content from individuals other than influencers	○	○	○	○	○	○
*Brand or corporate promotion including through influencers	○	○	○	○	○	○

Q10 sample answer and reasoning
Disagree on both. Genuine user content without remuneration cannot be considered as advertising/promotion and the rest is already regulated.

11. Across the EU Member States, there are differing national laws covering different aspects of tobacco, nicotine, and non-nicotine products. This means that economic operators must comply with these different rules to place their products on the markets of the various Member States.
To what extent do you agree with the following statement:
Differing national laws create legal complexities and hinder the smooth functioning of the EU single market.

- ☐ Agree
- ☐ Partly agree
- ☐ Neither agree nor disagree
- ☐ Partly disagree
- ☑ Disagree
- ☐ Don't know

Q11 sample answer and reasoning
Given differing languages and tax measures there is no internal market. The smooth functioning of the internal market should not involve prohibitions (snus) or restrictions on consumer choice (flavour bans).

12. How important is it to you that the EU tobacco control legislation supports the following objectives with regard to tobacco, nicotine and non-nicotine products?

	Not important	Barely important	Moderately important	Very important	Essential	Don't know
*Preventing the initiation of use	○	○	○	○	○	○
*Supporting the cessation of use	○	○	○	○	○	○
*Ensuring that these products do not have attractive features and do not appeal, particularly to young people	○	○	○	○	○	○
*Ensuring that consumers are well informed about the health risks	○	○	○	○	○	○
*Minimising the administrative burden on Member States	○	○	○	○	○	○
*Minimising the administrative burden on business	○	○	○	○	○	○
*Ensuring that the same conditions for the manufacture, presentation, sale and advertising apply across the EU	○	○	○	○	○	○
*Ensuring that manufacturers and importers can report the necessary information easily and quickly to national and EU authorities	○	○	○	○	○	○

Q12 sample answer and reasoning
Don’t know on all. No differentiation between high risk combustible products and low risk non-combustible products.

13. To what extent do you agree with the following statements:
The following measures are effective in reducing the uptake and/or harmful effects of consuming nicotine and non-nicotine products.

	Agree	Partly agree	Neither agree nor disagree	Partly disagree	Disagree	Don't know
*Prohibiting flavours	○	○	○	○	○	○
*Prohibiting flavour descriptions and visuals on the packaging	○	○	○	○	○	○
*Reducing nicotine concentration in the product	○	○	○	○	○	○
*Standardising the form and size of tanks, refill containers and cartridges for e-cigarettes	○	○	○	○	○	○
*Setting limits for the nicotine content and/or dose of nicotine pouches	○	○	○	○	○	○
*Strengthening product standards for device safety (e.g. leakage, overheating, battery safety)	○	○	○	○	○	○
*Introducing product design requirements to reduce appeal (e.g. restrictions on device appearance, lighting, “toy-like” features)	○	○	○	○	○	○
*Introducing restrictions on disposable products	○	○	○	○	○	○
*Introducing a ban on disposable e-cigarettes	○	○	○	○	○	○
*Requiring mandatory child-resistant and tamper-evident packaging	○	○	○	○	○	○
*Strengthening restrictions on the ingredients to be used in nicotine and non-nicotine products	○	○	○	○	○	○
*Requiring reporting and testing by manufacturers and importers on product composition and, emissions or aerosol constituents	○	○	○	○	○	○
*Introducing requirements on the traceability	○	○	○	○	○	○

Q13 sample answer and reasoning

Flavours - disagree.

Description and visuals - neither agree or disagree. Accurate description of flavour is informative. Frivolous or misleading descriptions are not okay.

Reducing nicotine - disagree. Further reducing nicotine content will be counterproductive and push consumers to illicit markets.

Standardising the form and size of tanks - disagree. Existing EU law already regulates these features.
Nicotine content for pouches - neither agree or disagree. Some level of regulation is needed but it must be at a level that is competitive to combustible tobacco.
Strengthening product standards - disagree. Current product safety standards are comprehensive and sufficient.
Product design requirements - Partly agree. Some product design restrictions, such as prohibition of toy-like features are appropriate
Restrictions on disposable products - disagree. Might cover pouches
Ban on disposable e-cigarettes - neither agree or disagree. Irrelevant as they will be banned under the battery directive.
Child resistant packaging - neither agree or disagree. Could impact older consumers or people with dexterity issues.
Ingredients - disagree. Already covered in existing regulations.
Reporting and testing - agree. Most appropriate way to ensure that high quality products are on the market.
Traceability - disagree. The Evaluation report shows this is an ineffective way to combat illicit trade.

14. The scope of the current EU tobacco control legislation covers only tobacco products, nicotine-containing e-cigarettes, and herbal products for smoking. It does not include other nicotine products, herbal products not used for smoking and nicotine-free e-cigarettes, which have been introduced in the market since 2012.
As observed in the evaluation of the TPD (https://health.ec.europa.eu/tobacco/evaluation-legislative-framework-tobaccocontrol_en), nicotine pouches' sales value has increased from 60.8 million EUR in 2018 to 1.09 billion EUR in 2023, whereas traditional tobacco products' sales value has decreased from 153.87 billion in 2012 to 140.75 billion in 2023.

To what extent do you agree with the following statement:
The scope of the EU tobacco control legislation has not kept pace with market developments.

- ☐ Agree
- ☐ Partly agree
- ☐ Neither agree nor disagree
- ☐ Partly disagree
- ☑ Disagree
- ☐ Don't know

Q14 sample answer and reasoning
If the EU bans pouches it will simply be repeating the mistake of the snus ban

15. How important is it to you that the following products – currently not covered by the legislation – would fall within the scope of the EU tobacco control legislation?

	Not important	Barely important	Moderately important	Very important	Essential	Don't know
*Nicotine pouches and other nicotine products without tobacco	○	○	○	○	○	○
*Nicotine-free e-cigarettes, including their devices and tanks, refill containers and cartridges	○	○	○	○	○	○
*Heated herbal products and other new types of herbal products	○	○	○	○	○	○
*Devices, accessories and items used for the consumption of tobacco and nicotine products	○	○	○	○	○	○
*Future products	○	○	○	○	○	○

Q15 sample answer and reasoning

Don’t know for all. The EU has a role to play but not if regulatory intent is to deny consumers access to products they want to use in their own interest.

16. To what extent do you agree with the following statement:

EU rules need to include a regulatory mechanism that allows the European Commission to react quickly to market, scientific, and technical developments.

- ☐ Agree
- ☐ Partly agree
- ☐ Neither agree nor disagree
- ☐ Partly disagree
- ☑ Disagree
- ☐ Don't know

Q16 sample answer and reasoning

The EU has a role to play but not if regulatory intent is to deny consumers access to products they want to use in their own interest.

17. Technology-neutral definitions focus on the general characteristics of a product and could help ensure that all products of the same definition are covered by the legislation, regardless of technological developments. This would allow products which are not on the market when the legislation came into force to also be covered if they fall under the specified technical definition.

To what extent do you agree with the following statement:

Technology-neutral definitions for products are important in ensuring the objectives of the tobacco control legislation.

- ☐ Agree
- ☐ Partly agree
- ☐ Neither agree nor disagree
- ☐ Partly disagree
- ☐ Disagree
- ☑ Don't know

Q17 sample answer and reasoning
It's an opinion on technology.

18. Plain (or standardised) packaging is defined by the World Health Organisation as "measures to restrict or prohibit the use of logos, colours, brand images or promotional information on packaging other than brand names and product names displayed in a standard colour and font style". The TPD allows an EU Member State to introduce further of such standardisation requirements regarding the packaging of tobacco products, including plain packaging.
To what extent do you agree with the following statement:
Mandatory plain packaging requirements under EU tobacco control legislation would strengthen the functioning of the EU internal market and/or the protection of public health.

	Agree	Partly agree	Neither agree nor disagree	Partly disagree	Disagree	Don't know
*Functioning of the EU internal market	○	○	○	○	○	○
*Protection of public health	○	○	○	○	○	○

Q18 sample answer and reasoning
Disagree. Plain packaging has been shown to be ineffective.

19. To what extent do you agree with the following statement:
The following labelling and packaging measures are effective in ensuring the objectives of the tobacco control legislation.

	Agree	Partly agree	Neither agree nor disagree	Partly disagree	Disagree	Don't know
*Large health warnings with pictures depicting medical conditions associated with the use of tobacco and nicotine products	○	○	○	○	○	○
*Plain or standardised packaging of the products	○	○	○	○	○	○
*Standardised form and size of tanks, refill containers and cartridges for e-cigarettes	○	○	○	○	○	○
*Prohibition of misleading descriptors on the packaging (e.g. “natural”, “organic”, “nicotine-free”)	○	○	○	○	○	○
*Leaflets/inserts with quitting information	○	○	○	○	○	○
*Prohibition of elements that promote the product or encourage its consumption by creating an erroneous impression about its characteristics, health effects or risks	○	○	○	○	○	○

Q19 sample answer and reasoning
Disagree on everything. This is a research question not a matter of opinion.

20. E-cigarettes and nicotine pouches can come in variety of flavours (such as fruit, herb, candy or ice cream). The evaluation of the tobacco control framework has shown that flavours seem to play a key factor influencing young people’s decision to start using these products. Flavours can create the impression that the product is less harmful and make the product more attractive and easier to use. Some EU Member States have prohibited flavours in e-cigarettes and refill containers, while others have not.
To what extent do you agree with the following statement:
A prohibition of flavours in e-cigarettes and nicotine pouches would strengthen the functioning of the EU internal market (by eliminating different approaches across the Member States) and/or the protection of public health.

	Agree	Partly agree	Neither agree nor disagree	Partly disagree	Disagree	Don't know
*Functioning of the EU internal market	○	○	○	○	○	○
*Protection of public health	○	○	○	○	○	○

Q20 sample answer and reasoning
Disagree on both. Flavours are vital for switching and bans are shown to create a black market.

21. The EU tobacco traceability system records the movements of legal tobacco products across the EU. It allows EU Member States to determine whether a product has been diverted into the illicit market. The traceability system currently covers only tobacco products and does not extend to e-cigarettes and other nicotine or non-nicotine products.

To what extent do you agree with the following statement:

The EU tobacco traceability system should also cover products other than tobacco products.

- ☐ Agree
- ☐ Partly agree
- ☐ Neither agree nor disagree
- ☐ Partly disagree
- ☑ Disagree
- ☐ Don't know

Q21 sample answer and reasoning

The Evaluation report shows this is an ineffective way to combat illicit trade.

22. How important is it that the EU tobacco control legislation be strengthened in the following areas?

	Not important	Barely important	Moderately important	Very important	Essential	Don't know
*Reporting of accurate and complete information on the products by manufacturers and importers for the European Commission and the Member States' enforcement authorities	○	○	○	○	○	○
*Traceability tools to assist Member States in detecting illicit trade practices	○	○	○	○	○	○
*The adaptability of the legislation to respond to new market developments	○	○	○	○	○	○

Q22 sample answer and reasoning

Don't know for all, the question is unanswerable. In each case it depends on the specific measures envisaged - some of which might be helpful, others might do more harm than good.

23. If you wish to upload a concise document, please do so below. The maximal file size is 1MB.

Please note that the uploaded document will be published alongside your response to the questionnaire, which is the essential input to this open consultation. The document is an optional complement and serves as additional background to better understand your position.

Q23 sample answer and reasoning
Add the critique.

END OF SURVEY – THANK YOU FOR YOUR PARTICIPATION