

ESMO response to the Public Consultation on the revision of the EU rules on tobacco products and tobacco advertising

The [European Society for Medical Oncology \(ESMO\)](#), representing over 50,000 members globally, welcomes the intention of the European Commission to revise the regulatory framework that governs the manufacture, presentation and sale of tobacco and related products established through the EU Tobacco Products Directive and the Tobacco Advertising Directive.

The use of tobacco products is currently a major health hazard that contributes significantly to the global burden of disease, including cancer and many other non-communicable conditions. The International Agency for Research on Cancer (IARC)¹ has classified combustible cigarettes as a group one carcinogen and it is estimated that over 7 million people globally die from tobacco use each year, including approximately 1.6 million individuals who have no smoking history but have been exposed to second hand smoke². In Europe, tobacco is responsible for an estimated 700,000 deaths annually³, and tobacco use accounts for about 25% of all cancer-related mortality around the globe⁴. Taking strong action at the EU level to lower smoking rates and discourage people from using tobacco and related products is therefore of critical importance, not only to safeguard human health and reduce cancer risks, but also to ensure a healthy workforce and dampen the burden on healthcare systems under strain. Robust tobacco control policies will also help achieve the ambition of Europe's Beating Cancer Plan⁵ to create a 'Tobacco-Free Generation' by 2040.

In light of this, and aiming to strengthen tobacco control policies across the EU, ESMO considers it pertinent that the following measures are taken as part of the legislative revision:

- To make the health risks posed by smoking more apparent to consumers, **plain packaging of tobacco and related products and devices should become mandatory and standardised** across the entire EU. Such measure is to be complemented by strengthened labelling and packaging rules that mandate graphic health warnings of at least 80% covering both the front and the back of all tobacco products. An explicit ban is to be put in place for package designs that have been purposely developed to resemble every day electronic devices (pens, USB sticks, etc.) and look sleek, bright, and colourful - with the goal of appealing to young people.
- The legislative revision should facilitate a complete, explicit, and robustly enforced EU-wide **ban on the advertisement and sponsorship of tobacco products in all direct and indirect forms**. The updated EU tobacco legislation should be fit for purpose to accommodate new advertising techniques and explicitly ban

¹ International Agency for Research on Cancer (IARC). [List of Classifications](#).

² World Health Organization (WHO). [Tobacco](#).

³ European Commission. [Tobacco](#).

⁴ WHO. [Effects of tobacco on health](#).

⁵ European Commission. [Europe's Beating Cancer Plan](#).



promotion on social media, streaming services, online video sharing platforms, and online market platforms - whilst also addressing promotion through the depiction of tobacco products in music videos, films, television programmes, and video games.

- Given that data published by the WHO estimates the prevalence of current e-cigarette use among adults to be 4.6% of the population of the WHO European Region⁶, and as most forms of tobacco and non-medicinal nicotine products are considered to be highly addictive⁷, ESMO supports extending the scope of the EU legislation on tobacco to better **cover novel products and upcoming products in a more agile way**. Following national legislation that is already being implemented at country level in the Netherlands and Slovenia as well as measures that will take effect in Belgium in 2028, the EU should establish a **universal ban on flavoured electronic cigarettes**. ESMO also supports introducing a comprehensive EU-wide ban on cross-border distance sales and online sales of electronic cigarettes and refill containers and considers that further steps should be taken to ensure that nicotine-free electronic cigarettes, herbal products not used for smoking, and nicotine pouches are explicitly covered under the Tobacco Products Directive. Disposable electronic cigarettes should be banned across all EU countries.
- EU level support and guidance should be provided to national governments on launching **education and awareness-raising campaigns** to educate people on the health risks posed by tobacco products. EU support should also be made available to promote smoke-free environments and enable programmes designed to help people stop smoking or reduce the amount that they smoke. These initiatives are to be supported by robust EU funding provided under the 2028-2034 Multiannual Financial Framework (MFF).
- The legislative revision should support the full implementation of and adherence to the **WHO Framework Convention on Tobacco Control (WHO FCTC)** and contribute to meeting all prevention-related goals set out in **Europe's Beating Cancer Plan**. Special attention is to be given to enforcing the obligations under the WHO FCTC to protect public health policies from the commercial interests and influence of the tobacco industry.
- The revision of the Tobacco Products Directive and the Tobacco Advertising Directive should be complemented by a swift conclusion of the ongoing political discussions on the Tobacco Taxation Directive with increased minimum excise duty rates for tobacco products.

Moreover, given the urgency of the matter and the health hazards caused by tobacco, and considering that the review of the EU's tobacco legislation was already announced as part of Europe's Beating Cancer Plan in 2021 but has since been delayed, **ESMO considers it of crucial importance that the legislative proposals for revising the EU Tobacco Products Directive and the Tobacco Advertising Directive are put forward as soon as possible - at the latest by the end of 2026 so as to allow for their scrutiny and implementation ahead of the European Parliamentary elections in 2029**. The review of the EU legislation governing tobacco advertising is especially urgent

⁶ WHO. [WHO global report on trends in prevalence of tobacco use 2000–2024 and projections 2025–2030](#).

⁷ [The Madrid 2023 Declaration 'For a Tobacco-Free Generation'](#).



as this EU Directive has not seen a significant update since its adoption in 2003, and since when there has been the emergence of smart phones, social media, and new cross-border digital platforms in conjunction with new forms of digital promotion of tobacco and related products - with the 2025 WHO report on the tobacco epidemic recognising that 'tobacco advertising, promotion and sponsorship (TAPS) bans remain an under-adopted measure'.⁸

It is our strong conviction that implementing the above recommendations will aid in improving human health, reducing cancer risks linked to tobacco use, and tackling the tobacco epidemic in Europe. ESMO stands ready to collaborate with the European Commission, national governments and all stakeholders on developing effective anti-tobacco policies that protect human health.

For further information, please contact: publicpolicy@esmo.org

⁸ WHO. [WHO report on the global tobacco epidemic, 2025](#).