JATC2 Task 7.4 / Information sheet 1:

Overview of novel tobacco products, e-cigarettes and herbal products for smoking in different Member States

Under the Tobacco Products Directive (2014/40/EU), manufacturers and importers of tobacco products,electronic cigarettes (e-cigarettes) and refill containers must submit key information to the authorities in the Member States in which they plan to market the product. The EU Common Entry Gate (EU-CEG) is an IT tool developed by the European Commission to streamline the submission of this key information. JATC-2 Deliverable 7.2 provides an overview of novel tobacco products (NTPs), e-cigarette products and herbal Products for Smoking, submitted by manufacturers to be marketed in 12 different Member States (MS). The data for this analysis was extracted from the EU-CEG system as of June 30, 2023. Only non-confidential data was included, which somewhat limits the scope of the analysis.

Novel Tobacco Products

In the category of NTPs, Italy and the Czech Republic exhibited the highest variety of products and ingredients, whereas Belgium and Luxembourg had the lowest. 1,406 unique products are submitted by a total of 25 submitters. A manual curation identified 34 different main brands for heatsticks, with two brands being present in all 12 MS. The ingredients cellulose and tobacco were most commonly used, and menthol emerged as the most frequently used flavour ingredient, particularly in Italy and the Czech Republic.

E-cigarettes

A total of nearly 14,449 e-cigarette products have been submitted to the EU-CEG by approximately 7,000 different submitters. These products span across nine types of e-cigarettes and e-cigarette components. Among these, refill e-liquids are the most frequently found product type, followed by disposable e-cigarettes. The Czech Republic and France have the highest number of submitted products, while Lithuania has the fewest. Glycerin and propylene glycol are the most commonly used ingredients in these products. Notably, two-thirds (67%) of e-cigarette products contain nicotine, with 3.1% of these exceeding the TPD's upper limit of 20 mg/ml. The most frequently used flavouring ingredients include ethyl maltol (sweet), WS-23 (cooling agent), and ethyl butyrate (orange). Submitters are required to indicate whether the airflow, voltage, and wattage of the products are adjustable. Generally, the percentage of adjustable products is higher in rechargeable and refillable devices. However, despite this information being mandatory, it is often not provided, making it less informative.

Herbal Products for Smoking

In the category Herbal products for smoking, 1,701 products were notified. Belgium had the largest number of different herbal products, and Latvia the lowest. In herbal products for smoking, flavour and taste enhancers are commonly included as ingredients. The most frequently reported flavours are coffee and tea, followed by menthol. Only some herbal products were found to contain nicotine.

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Limitations of EU-CEG Data

The data from the EU-CEG system has several limitations. Inconsistencies in naming conventions and incomplete submissions complicate data analysis. There are also issues with the incorrect submission of ingredient concentrations and the lack of standardized methods for emissions data. Optional fields are not always filled in, so this data may not represent all products and can lead to potential misinformation. Furthermore, some manufacturers are not adhering to TPD regulations, emphasizing the need for stronger regulatory enforcement. Additionally, the lag in EU-CEG data collection and reporting means that recent market changes and regulatory updates may not be accurately reflected, impacting the relevance of the information for policymakers, researchers, and the public.

Key Messages

- Despite challenges, comparing products and product data between Member States (MS) is valuable. It provides insights into the EU market as a whole, highlights trends and calls attention to products in individual countries that may spread to other regions.
- The EU-CEG's data collection and reporting processes often lags behind rapid market changes, leading to potential discrepancies between current market conditions and published reports, which can impact the accuracy and relevance of information for policymakers, researchers, and the public.
- Improvements are needed to increase data reliability and enable faster, more effortless analyses.
- Ingredient data offers crucial insights into trends and usage patterns of unique ingredients across various product types. This information is vital for assessing regulatory compliance, identifying potential circumventions, and detecting toxic ingredients. It also informs on the flavours used in different products and MS, helping to identify trends and prioritize flavours for actions such as flavour bans.
- Inconsistencies in brand names and brand variant names result in unreliable datasets, obscuring accurate information on the number and identity of brands and variants. Manual curation is essential to clean and interpret this information effectively.
- Collecting and interpreting emission data for NTP and herbal products for smoking is currently irrelevant due to the lack of a standardized method for measuring emission levels.
- Information on adjustability of e-cigarettes, if accurately provided by the manufacturer, can be utilized to verify compliance with legislation.
- Data on ingredient concentrations, brand names, and brand variants is valuable but remains unreliable due to frequent submission errors by contributors.
- Facilitating the submission of data in an easy and error-minimized manner through improvements to the EU-CEG should be paired with legislation and enforcement of compliance by Member States and the EU Commission.

Recommendations

To be able to utilize EU-CEG data as a reliable tool for monitoring and enforcement, several measures to improve data quality are recommended:

1. To enhance compliance enforcement, the EU-CEG system should not accept missing values for key variables, as sometimes mandatory information is missing.
2. To ensure more reliable information on ingredient concentrations clearer guidelines should be provided to manufacturers on how to submit data. Additionally, the EU-CEG submission system should be modified to include validation checks, such as limits on reported values and mechanisms to prevent outliers.
3. Increased enforcement of compliance by Member States and/or the EU Commission will encourage submitters to provide a higher quality of data.
4. Implement automated validation checks within the EU-CEG system to flag inconsistencies and errors in real time, reducing the need for extensive manual curation.