

Hearing of concerned parties with respect to a decision to restrict the placing on the market of certain nicotine-containing products pursuant to subsection 45b, subsection 1 of the Chemicals Act

On 14 June 2023 the Finnish Safety and Chemicals Agency (Tukes) issued an interim decision (registry number 6287/00.00.01/2023) pursuant to section 45b subsection 3 of the Chemicals Act prohibiting the placing of nicotine pouches containing 20 milligrams or more of nicotine on the Finnish market. This decision is based in particular on the need to protect children and young adults from nicotine poisoning. The Tukes decision estimates that pouches containing 20 milligrams or more of nicotine can pose a serious hazard to babies and small children within the meaning of section 45b of the Chemicals Act.

Section 45b subsection 3 of the Chemicals Act provides that an interim decision issued by Tukes must be submitted to the Government for decision without delay.

On the foregoing basis, the Government is preparing a decision whereby it would prohibit nicotine pouches providing a nicotine dose of 20 mg/pouch or more from being placed on the market in Finland, pursuant to section 45b, subsections 1 and 3 of the Chemicals Act (599/2013). A nicotine pouch would denote a single-dose pouch that can be placed in the mouth and includes a mixture containing nicotine (CAS 54-11-5 or CAS 22083-74-5) or other nicotine compounds.

Placing on the market would mean offering, selling or otherwise supplying in the course of a business operation. The prohibition would not apply to products that are deemed medicines within the meaning of the Medicines Act (395/1987).

The concerned parties directly affected by the decision are the manufacturers, importers and sellers of the products to which the decision relates.

The decision would take effect immediately on notification, meaning on the seventh day following publication of an announcement on the Government website (<https://stm.fi/yleistiedoksiannot>) concerning the decision.

The decision would remain in force until further notice.

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Hearing

Pursuant to section 34 of the Administrative Procedure Act (434/2003), the Government is providing an opportunity for concerned parties to express their opinions by no later than 11 August 2023 on a decision under preparation to prohibit the placing on the Finnish market of nicotine pouches with a nicotine dose of 20 mg/pouch or more.

Any responses from concerned parties must be submitted to the Ministry of Social Affairs and Health by e-mailing kirjaamo.stm@gov.fi or by post to PO Box 33, FI-00023 Government. Please specify registry number VN/20729/2023 in the subject line of the e-mail or letter reference. Failure to meet the deadline does not prevent resolution of the matter.

Inquiries:

For further details, please contact:

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or by e-mailing:

Registry kirjaamo.stm@gov.fi

Annexes

Tukes decision of 14 June 2023 (Tukes 6287/00.00.01/2023): Interim decision pursuant to section 45b, subsection 3 of the Chemicals Act restricting the placing on the market of certain products containing nicotine

Draft government decision on restricting the placing on the market of nicotine-containing products