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Deutsche Sozialversicherung
Europavertretung | DSV

Feedback from German Social Insurance issued 8 June 2026

Commission call for evidence for an impact assessment on
the revision of EU rules on tobacco products and tobacco
advertising

I. Opinion

The European Commission plans to revise the EU rules on tobacco products and tobacco advertising later this year. The **Tobacco Products Directive** ([Directive 2014/40/EU](#)) and the **Tobacco Advertising Directive** ([Directive 2003/33/EC](#)) constitute the EU legal framework governing the manufacture, presentation and sale of tobacco and related products, as well as their advertising and sponsorship. The Commission justifies the planned revision primarily by pointing to the increasing fragmentation of the internal market resulting from diverging national regulations, for example on flavours in e-cigarettes, plain packaging, disposable e-cigarettes, heated tobacco products and nicotine pouches. It also highlights emerging health risks associated with novel tobacco and nicotine products, which are currently only partially covered by the existing legislation. Particular attention is being paid to marketing practices on social media and through influencers, which are especially effective in reaching young people.

The German Social Insurance (DSV) expressly welcomes the planned revision of EU tobacco legislation with the objective of significantly reducing tobacco consumption across the European Union in the long term. Tobacco use remains the leading cause of preventable disease and premature death in the European Union. According to estimates by the World Health Organization (WHO), more than 1.2 million people in the WHO European Region die each year from tobacco-related diseases. International evidence clearly demonstrates that regulatory measures such as taxation, advertising restrictions and smoke-free policies are among the most effective tools for tobacco prevention. The DSV therefore strongly supports an ambitious strengthening of the European regulatory framework.

Ban flavours

The DSV calls for a comprehensive ban on flavoured products. Flavours such as fruit, menthol and confectionery flavours have been shown to increase the attractiveness of novel tobacco and nicotine products for young people and lower the threshold for initiating use. Studies demonstrate that flavoured products are particularly popular among young first-time users and facilitate the transition to regular nicotine consumption.¹

¹ WHO, May 2025: https://cdn.who.int/media/docs/default-source/tobacco-hq/infosheet-flavouraccessories.pdf?sfvrsn=69cd4997_4&download=true

Regulate advertising comprehensively

From the DSV's perspective, a comprehensive EU-wide ban on advertising and promotion, combined with stricter rules for digital marketing, is essential. Significant regulatory gaps continue to exist in advertising. Studies show that, despite existing European advertising restrictions, substantial loopholes remain, particularly regarding online and social media advertising, cross-border sponsorship, point-of-sale marketing, and the depiction of smoking in films and television programmes.² While advertising for tobacco products in Germany is largely prohibited on television and radio, on billboards, in cinemas screening films suitable for minors, and through product placement, advertising and product displays at the point of sale remain widely permitted. This form of visibility and promotion plays a significant role in exposing young people to tobacco and nicotine products. In addition, e-cigarettes and nicotine pouches are increasingly promoted through social media channels and lifestyle-oriented marketing campaigns.

The DSV therefore supports a comprehensive EU-wide ban on advertising and promotion that also covers point-of-sale advertising as well as digital and social media. To ensure the effectiveness of such regulation, it is essential not only to introduce new rules but also to guarantee their effective cross-border enforcement and monitoring throughout the internal market.

Introduce standardised plain packaging

The DSV further considers standardised plain packaging to be necessary for e-cigarettes and refill containers to effectively prevent the initiation of nicotine use. Plain packaging without logos or distinctive branding has proven to be an effective measure for reducing the promotional appeal of packaging and for decreasing the attractiveness of these products to young people. The introduction of plain packaging has already been established in several European countries. France and the United Kingdom introduced plain packaging in 2017, followed by Ireland in 2018 and the Netherlands in 2020. In Germany, by contrast, brand logos, colours and design elements remain permitted on packaging despite mandatory health warnings. As a result, tobacco and nicotine products can still be marketed as lifestyle products.³

² Sæbø G, Carnicer-Pont D, Lopez AM, Koprivnikar H, Péntzes M, González-Marrón A, Arteta N, Fernández E. Mapping loopholes in the current regulation of tobacco advertising, promotion, and sponsorship in Europe: a scoping review. *Tob Control*. 2026 Jan 13;tc-2025-059329. doi: 10.1136/tc-2025-059329. Epub ahead of print. PMID: 41530058.

³ AOK-Bundesverband, Deutsches Krebsforschungszentrum (DKFZ). Public Health Index. Gesundheitsschutz im europäischen Vergleich 2025. November 2025
https://www.dkfz.de/fileadmin/user_upload/Krebspraevention/Download/pdf/Buecher_und_Berichte/2025_PublicHealth-Index.pdf

The DSV therefore advocates the introduction of mandatory plain packaging requirements for all tobacco and nicotine products at the European level.

About us

The German Federal Pension Insurance (DRV Bund), the German Social Accident Insurance (DGUV), the National Association of Statutory Health Insurance Funds (GKV-Spitzenverband), the national associations for statutory health and long-term care insurance funds at the federal level and the Social Insurance for Agriculture, Forestry and Horticulture (SVLFG) have joined forces to form the "German Social Insurance - Working Group Europe" (Deutsche Sozialversicherung Arbeitsgemeinschaft Europa e. V.) with a view to their common European policy interests. The association represents the interests of its members vis-à-vis the bodies of the European Union (EU) as well as other European institutions and advises the relevant stakeholders in the context of current legislative projects and initiatives. As part of the statutory insurance system in Germany, health and long-term care insurance with 75 million insured persons, pension insurance with 57 million insured persons and accident insurance with more than 70 million insured persons in 5.2 million member companies offer effective protection against the consequences of major risks of life.