

Response to European Union consultation: Europe's Beating Cancer Plan

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Consultation page: [Europe's Beating Cancer Plan](#)

This response on-line: [Feedback from Clive Bates \(United Kingdom\)](#)

Consultation response

1. The European Union can contribute to beating cancer by focussing on those areas where it has competence, respecting the long-standing principles of subsidiarity and conferral and stressing that cancer demands intervention at the local, national and supra-national levels. For example, the EU should have little to say about primary prevention and treatment, which are national or local issues.
2. The EU has a locus in aspects of product regulation, the chemicals regime, science and research, pharmaceutical regulation, occupational health, air quality and other environmental risk factors. The EU is also influential in its role in international bodies, like the World Health Assembly and the World Health Organisation Framework Convention on Tobacco Control.
3. I believe that the EU's strongest and most significant competence with respect to cancer is in the regulation of tobacco and nicotine products. Smart regulation in this field can help to drive down smoking, still the largest avoidable cause of cancer as well as a major contributor to cardiovascular and respiratory disease.
4. Within this area, the strategy of tobacco harm reduction is highly promising and has emerged over the last ten years. This means the replacement of cigarettes with low-risk non-combustible nicotine alternative. This strategy is advancing as an innovation-led, consumer-driven response to the harms of smoking [1] that commands significant support in the expert community [2].
5. The tobacco market is undergoing a major technology-based disruption. There is a great danger that badly designed regulation that is little more than an overreaction to change will throttle innovation and uptake of innovative alternatives to smoking. Poor regulation - including in the 2014 Tobacco Products Directive - has already hampered this approach in the EU. For example, a ban on snus, despite its highly positive effect in Sweden, and excessive and badly designed regulation of e-cigarettes have throttled rather than encourage this strategy, with the perverse effect of protecting the cigarette trade and implicitly encouraging smoking.
6. The art of regulation in the tobacco field is now the art of recognising, understanding and avoiding the harmful unintended consequences that would arise from excessive regulation of safer alternatives to cigarettes - and these are pervasive. [3] This is not an area in which the EU has excelled in the past, but it should become a central feature of policymaking from now on, including in Europe's Beating Cancer Plan.
7. Everyone engaged in policymaking in tobacco and nicotine products - including the designers of Europe's Beating Cancer Plan, needs to have a broad understanding of the major issues before considering further intervention. To that end, I would like to offer the team a comprehensive evidence-based Q & A on nicotine science and policy.[4]

References

- [1] Beaglehole R, Bates C, Youdan B, Bonita R. Nicotine without smoke: fighting the tobacco epidemic with harm reduction. *Lancet*. 2019 Aug 31;394(10200):718–20.
[https://doi.org/10.1016/S0140-6736\(19\)31884-7](https://doi.org/10.1016/S0140-6736(19)31884-7)
- [2] Letter from seventy-two specialists in nicotine science, policy and practice to Dr Tedros Adhanom Ghebreyesus, Director-General World Health Organisation, Innovation in tobacco control: developing the FCTC to embrace tobacco harm reduction, 1 October 2018
<https://clivebates.com/documents/WHOCOP8LetterOctober2018.pdf>
- [3] Clive Bates, Plausible unintended consequences of excessive regulation of low-risk nicotine products, February 2019
<https://clivebates.com/documents/UnintendedConsequencesFeb2019.pdf>
- [4] Clive Bates, Nicotine Science and Policy Q & A, February 2020.
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