



Comment on proposed new nicotine product restrictions - JDM/26-0826

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Comment on Estonia proposals 2026 - Bates - EE.pdf; Comment on Estonia proposals 2026 - Bates - EN.pdf; Nicotine policy evidence briefings.pdf;

Tähelepanu! Tegemist on välisvõrgust saabunud kirjaga.
Tundmatu saatja korral palume linke ja faile mitte avada.

Liisa-Ly Pakosta
Minister of Justice and Digital Affairs
Government of the Republic of Estonia

24 July 2026

Dear Minister

I am an independent specialist in tobacco and nicotine policy based in the United Kingdom. I am writing to respectfully urge the government to reconsider further restrictions on nicotine products such as vapes and pouches. These function as far safer alternatives to cigarettes and have the potential to radically reduce the burden of disease globally and in Estonia.

I have attached a memo in English and a translation into Estonian, as well as a background briefing document.

I summarised as follows:

To summarise, the proposed measures would likely have three broad harmful effects:

1. Prolonging the personal, social and economic burdens of smoking.

More than one in four adult Estonians smoke, according to WHO. These restrictions will obstruct the migration of the lawful nicotine market from high-risk to low-risk products (a process that is underway globally), protecting the incumbent cigarette trade from competitive safer products. It will mean fewer people who smoke will switch, and more will suffer needlessly as a result, with further costs in productivity and healthcare. Many young people who are vaping today would have smoked in the absence of vapes; for them, youth vaping is a public health win.

2. Cultivate a large illicit market. Restrictions on legal products will do little to lower demand. Consumers will seek the products they want via informal and criminal markets. This will create greater opportunities for a large illicit market in the restricted products. The Fraunhofer Institute estimated that in 2025, Estonia had 41% irregular trade in e-cigarettes, of which 32% was black market and 9%

was cross-border. In the Netherlands, which has already adopted similar measures to those now proposed for Estonia, Bureau Beke found that 87% of vapers use vapes obtained through an illegal sales channel. Dutch consumers spend around €280 million per year on vapes, but of that, approximately €257 million is spent on illegal products.

3. Trigger risky workarounds. Consumers will try to obtain the products they want through innovation or workarounds. For example, people can make their own liquids and add commercial food flavours or even aromatherapy liquids. It is possible to work around limits on nicotine by adding nicotine from illegally purchased concentrates. There may be behavioural adaptations; for example, people may start using two or more nicotine pouches at once. Manufacturers can respond creatively to regulations: a limit of 4mg/g of filler would lead to the use of larger, denser filler materials.

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