

National Food Agency

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National Food Agency regulations on snus and chewing tobacco;

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adopted on 23 February 2012.

Pursuant to Sections 5, 6 and 7 of the Foodstuffs Ordinance (2006:813), ¹ the National Food Agency prescribes as follows.

Introduction

Section 1 These regulations contain rules for snus and chewing tobacco intended to be offered for sale in Sweden. Provisions on snus and chewing tobacco are also contained in the Tobacco Act (1993:581).

Definitions

Section 2 In these regulations the following definitions shall be applied in a manner corresponding to that in food legislation:

- food additive in accordance with Article 3(2)(a) of Regulation No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives²,
- flavouring, smoke flavouring and food ingredient with flavouring properties in accordance with Article 3(2)(a), (f) and (i) of Regulation No 1334/2008 of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No

¹ Notification has been made under Directive 98/34/EC of the European Parliament and of the Council from 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on information society services (OJ L 204, 21.7.1998, p. 37, Celex 1998L0034), most recently amended by Directive 2006/96/EC of the European Parliament and of the Council (OJ L 217, 363.1998, p. 81, Celex 32006L0096).

Latest wording of Section 6 of the Foodstuffs Ordinance 2011:875.

² OJ L 354, 31.12.2008, p. 16, Celex 32008R1333.

1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC³.

Additives

Section 3 Only those food additives which are listed in the *Annex* may be included in snus and chewing tobacco. They shall be used for such functions as are stated in Annex I to Regulation (EC) No 1333/2008 on food additives.

The conditions for use are stated in the *Annex*

The food additives shall comply with the specifications applicable to food additives.

Section 4 The National Food Agency reviews

- issues concerning approval of further food additives in snus and chewing tobacco, and
- issues concerning conditions for use of food additives in snus and chewing tobacco.

This review takes place in accordance with the conditions for approval of food additives in Articles 6-8 of Regulation (EC) No 1333/2008 on food additives.

Flavourings

Section 5 Only flavourings, including smoke flavourings, and food ingredients with flavouring properties may be included in snus and chewing tobacco in order to impart or alter odour or taste.

Novel ingredients

Section 6 Foods and food ingredients covered by Article 1(2) of Regulation (EC) No 258/97 of the European Parliament and of the Council concerning novel foods and novel food ingredients⁴ may be included in snus and chewing tobacco only if they are approved under the Regulation.

Water

Section 7 The water used in the production and preparation of snus and chewing tobacco shall meet the requirements of the National Food Agency regulations (SLVFS 2001:30) on water intended for human consumption.

Labelling

Section 8 The labelling information shall be stated in language which can be readily understood by consumers. It shall be easy to understand, easily visible, clearly legible and durable.

³ OJ L 354, 31.12.2008, p. 34, Celex 32008R1334.

⁴ OJ L 43, 14.2.1997, p. 1 Celex 31997R0258.

Section 9 Packs of snus and chewing tobacco sold directly to the consumer shall be labelled with the following information:

1. Name of the product: snus or chewing tobacco. Trademark, brandname or invented name shall not be used instead of the product name
2. Net quantity in grams.
3. Date of manufacture.
4. Storage instructions, if storage is of significance for shelf life.
5. Name or style and address of the manufacturer, packer or seller. The address may be replaced by a telephone number within Sweden.

Hygiene

Section 10 Whosoever undertakes activity in a link in the chain of production or processing for snus or chewing tobacco shall, where necessary in order to maintain satisfactory hygiene, comply with the requirements of Annex II of Regulation No 852/2004 of the European Parliament and of the Council of 29 April 2004 on food hygiene⁵ as follows:

1. general rules for premises in Chapter I,
2. special rules for premises in Chapter II,
3. transport in Chapter IV, with the exception of point 4,
4. equipment in Chapter V,
5. food waste in Chapter VI,
6. water supply in Chapter VII,
7. personal hygiene in Chapter VIII,
8. food products in Chapter IX, points 1-5 and
9. training in Chapter XII.

Hazard analysis and critical control points

Section 11 Whosoever undertakes activity in a link in the chain of production or processing for snus or chewing tobacco shall, where necessary in order to fulfil the requirements of these regulations,

1. establish, implement and maintain one or more permanent procedures based upon the HACCP principles in accordance with Article 5(2) of Regulation (EC) No 852/2004,
2. ensure that all documentation describing the procedures drawn up in accordance with point 1 are always up to date, and
3. keep all other documentation and all other records for a suitable period of time.

⁵ OJ L 226, 25.6.2004, p. 3 (Celex 32006R0852)

Traceability

12 Section Snus, chewing tobacco and all ingredients included in snus or chewing tobacco shall be traceable one link back and one link forward at all stages of the chain of production, processing and distribution, however not to the consumer.

Foreign substances

13 Section Snus and chewing tobacco shall not contain

- lead at levels above 3 mg/kg
- aflatoxins B¹, B², G¹ and G² (sum) at levels above 0.005 mg/kg.

Materials and products in contact with snus and chewing tobacco

14 Section Materials and products which come into contact with snus and chewing tobacco shall fulfil the requirements for composition and properties applicable to materials and products intended to come into contact with foodstuffs.

These regulations enter into force on

- 8 March 2012 with regard to Sections 1-4, Section 5 with regard to use of smoke flavourings, Sections 7-8 and Section 9 except with regard to point 3 and Section 13, and
- on 1 September 2013 in other parts, but products which are not in agreement with the provisions of these parts but which have been labelled or placed on the market before 1 September 2013 may be offered for sale until 28 February 2015. The new regulations may also already be applied from 8 March 2012.

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Permitted food additives in accordance with Section 3.

Conditions. If no maximum level is stated below, the food additives may be used in accordance with the *quantum satis principle*, i.e. no maximum level is set for use. The additives shall, however, be used in accordance with good manufacturing practice and not in a larger quantity than is needed to achieve the desired purpose, and in such a way that consumers are not misled.

E number	Name and conditions
E 101	(i) Riboflavin (ii) Riboflavin-5'-phosphate
E 140	Chlorophylls and chlorophyllins
E 141	Copper complex of chlorophylls and chlorophyllins
E 150a	Plain caramel
E 150b	Caustic sulphite caramel
E 150c	Ammonia caramel
E 150d	Ammonia sulphite caramel
E 153	Vegetable carbon
E 160a	Carotenes
E 160c	Paprika oleoresin, capsanthin, capsorubin
E 162	Beetroot red, betanin
E 163	Anthocyanins
E 170	Calcium carbonate
E 171	Titanium dioxide
E 172	Iron oxides and iron hydroxides
E 202	Potassium sorbate, max. 2 g/kg
E 260	Acetic acid
E 261	Potassium acetate
E 262	Sodium acetates (i) Sodium acetate (ii) Sodium hydrogen acetate (sodium diacetate)
E 263	Calcium acetate
E 270	Lactic acid
E 280-283	Propionic acid and propionates; max. 2 g/kg
E 290	Carbon dioxide
E 296	Malic acid

E number	Name and conditions
E 300	Ascorbic acid
E 301	Sodium ascorbate
E 302	Calcium ascorbate
E 304	Fatty acid esters of ascorbic acid (i) Ascorbyl palmitate (ii) Ascorbyl stearate
E 306	Tocopherol-rich extracts
E 307	Alpha-tocopherol
E 308	Gamma-tocopherol
E 309	Delta-tocopherol
E 319	Tertiary butylhydroquinone (TBHQ); max. 300 mg/kg
E 322	Lecithin
E 325	Sodium lactate
E 326	Potassium lactate
E 327	Calcium lactate
E 330	Citric acid
E 331	Sodium citrates (i) Monosodium citrate (ii) Disodium citrate (iii) Trisodium citrate
E 332	Potassium citrates (i) Monopotassium citrate (ii) Tripotassium citrate
E 333	Potassium citrates (i) Monocalcium citrate (ii) Dicalcium citrate (iii) Tricalcium citrate
E 334	L-tartaric acid
E 335	Sodium tartrates (i) Monosodium tartrate (ii) Disodium tartrate
E 336	Potassium tartrates (i) Monopotassium tartrate (ii) Dipotassium tartrate
E 337	Disodium potassium tartrate
E 350	Sodium malates (i) Sodium malate (ii) Sodium hydrogen malate
E 351	Potassium malate

E number	Name and conditions
E 352	Calcium malates (i) Calcium malate (ii) Calcium hydrogen malate
E 354	Calcium-L-tartrate
E 380	Triammonium citrate
E 400	Alginic acid
E 401	Sodium alginate
E 402	Potassium alginate
E 403	Ammonium alginate
E 404	Calcium alginate
E 406	Agar
E 407	Carrageenan (may be standardised with sugars if this is stated as addition to the number and name)
E 407a	Processed eucheuma seaweed (may be standardised with sugars if this is stated as addition to the number and name)
E 410	Locust bean gum
E 412	Guar gum
E 413	Tragacanth
E 414	Acacia gum (gum arabic)
E 415	Xantan gum (not in production of dried products intended to be rehydrated directly on ingestion)
E 417	Tara gum (not in production of dried products intended to be rehydrated directly on ingestion)
E 418	Gellan gum
E 420	Sorbitol; max. 100 g/kg
E 421	Mannitol (for use other than as sweetener)
E 422	Glycerol
E 425	Konjac; max. 10 g/kg (i) Konjac gum (ii) Konjac glucomannane
E 440	Pectins (may be standardised with sugars if this is stated as addition to the number and name) (i) Pectin (ii) Amidated pectin
E 460	Cellulose (i) Microcrystalline cellulose (ii) Cellulose powder
E 461	Methyl cellulose
E 462	Ethyl cellulose
E 463	Hydroxypropyl cellulose

E number	Name and conditions
E 464	Hydroxypropyl methylcellulose
E 465	Ethyl methyl cellulose
E 466	Carboxymethyl cellulose, sodium carboxy methyl cellulose, cellulose gum
E 469	Enzymically hydrolysed carboxymethylcellulose, enzymatically hydrolysed cellulose gum
E 470a	Sodium, potassium and calcium salts of fatty acids
E 470b	Magnesium salts of fatty acids
E 471	Mono- and diglycerides of fatty acids
E 472a	Acetic acid esters of mono- and diglycerides
E 472b	Lactic acid esters of mono- and diglycerides
E 472c	Citric acid esters of mono- and diglycerides
E 472d	Tartaric acid esters of mono- and diglycerides
E 472e	Mono- and diacetyl tartaric acid esters of mono- and diglycerides
E 472f	Mixed acetic and tartaric acid esters of mono- and diglycerides of fatty acids
E 500	Sodium carbonates (i) Sodium carbonate (ii) Sodium hydrogen carbonate (iii) Sodium sesquicarbonate
E 501	Potassium carbonates (i) Potassium carbonate (ii) Potassium hydrogen carbonate
E 503	Ammonium carbonates (i) Ammonium carbonate (ii) Ammonium hydrogen carbonate
E 504	Magnesium carbonates (i) Magnesium carbonate (ii) Magnesium hydroxycarbonate (Magnesium hydrogen carbonate)
E 507	Hydrochloric acid
E 508	Potassium chloride
E 509	Calcium chloride
E 511	Magnesium chloride
E 513	Sulphuric acid
E 514	Sodium sulphates (i) Sodium sulphate (ii) Sodium hydrogen sulphate
E 515	Potassium sulphate (i) Potassium sulphate (ii) Potassium hydrogen sulphate
E 516	Potassium sulphate

E number	Name and conditions
E 524	Sodium hydroxide
E 525	Potassium hydroxide
E 526	Calcium hydroxide
E 527	Ammonium hydroxide
E 528	Magnesium hydroxide
E 529	Calcium oxide
E 530	Magnesium oxide
E 570	Fatty acids
E 574	Gluconic acid
E 575	Glucono delta-lactone
E 576	Sodium gluconate
E 577	Potassium gluconate
E 578	Calcium gluconate
E 640	Glycine and its sodium salt
E 620	Glutamic acid
E 621	Monosodium glutamate
E 622	Monopotassium glutamate
E 623	Calcium glutamate
E 624	Monoammonium glutamate
E 625	Magnesium diglutamate
E 626	Guanylic acid
10 g/kg, each separately or in combination	
E 627	Disodium guanylate
E 628	Dipotassium guanylate
E 629	Calcium guanylate
E 630	Inosinic acid
E 631	Disodium inosinate
E 632	Dipotassium inosinate
E 633	Calcium inosinate
E 634	Calcium-5'-ribonucleotides
E 635	Disodium-5'-ribonucleotides
500 mg/kg, each separately or in combination, expressed as guanylic acid	
E 901	Beeswax, white and yellow; max. 600 mg/kg
E 903	Carnauba wax; max. 200 mg/kg
E 904	Shellac; max. 600 mg/kg
E 938	Argon
E 939	Helium
max. 600 mg/kg together	

E number	Name and conditions
E 941	Nitrogen
E 942	Nitrous oxide
E 948	Oxygen
E 949	Hydrogen
E 950	Acesulfame potassium; max. 4 g/kg
E 953	Isomalt (for use other than as sweetener)
E 965	Maltitol (for use other than as sweetener) (i) Maltitol (ii) Maltitol syrup
E 966	Lactitol (for use other than as sweetener)
E 967	Xylitol (for use other than as sweetener)
E 968	Erythritol (for use other than as sweetener)
E 1103	Invertase
E 1200	Polydextrose
E 1404	Oxidised starch
E 1410	Monostarch phosphate
E 1412	Distarch phosphate
E 1413	Phosphated distarch phosphate
E 1414	Acetylated distarch phosphate
E 1420	Starch acetate
E 1422	Acetylated distarch adipate
E 1440	Hydroxypropyl starch
E 1442	Hydroxypropyl distarch phosphate
E 1450	Starch sodium octenyl succinate
E 1451	Acetylated oxidised starch
E 1520	Propyleneglycol; max. 40 g/kg