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1 **TITLE PAGE**

2

3 How online sales and promotion of snus contravenes current European Union
4 legislation

5

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12

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14 Abstract: 294

15 Main text: 3593 (excluding acknowledgements, what is known on this topic,
16 what this paper adds, tables and figures, and bibliography)

17

18

19 **Abbreviations used:**

20 COP: Conference of the Parties

21 EU: European Union

22 FCTC: Framework Convention on Tobacco Control

23 PACT Act: Prevent All Cigarette Trafficking Act

24 TPD: Tobacco Products Directive

25 UK: United Kingdom

26 US: United States

27 VAT: Value Added Tax

28 WHO: World Health Organization

1 **ABSTRACT**

2
3 **Context:** The European Union (EU) Tobacco Products Directive which bans
4 sales of snus (a form of oral tobacco) in EU countries other than Sweden is
5 currently under review. Major tobacco companies favour the ban being
6 overturned. This study aims to explore compliance with the current ban on
7 snus sales and examine the conduct of online snus vendors, including their
8 compliance with two other EU Directives on excise and tobacco advertising
9 and Swedish legislation banning sales of snus outside Sweden.

10
11 **Methods:**

12 To determine who is currently distributing snus via the Internet in the EU,
13 searches were carried out in Google, followed by searches in the WHOIS and
14 Amadeus databases. Five online test purchases of snus were made in each
15 of 10 EU Member States using a standardised protocol. Feedback from the
16 test purchases and further analysis of the websites accessed for test
17 purchases were used to critically examine snus retailers' conduct.

18
19 **Results:** The majority of online vendors operate from Sweden and target non-
20 Swedish EU citizens. Test purchases were successfully made in all 10 EU
21 Member States; of 43 orders placed, only 2 failed. Age verification relied only
22 on self-report. The majority of sales applied Swedish taxes, contrary to EU
23 requirements. Copious sales promotion activities, many price-based, are
24 incorporated in these websites contravening the EU regulation, and 3 test
25 purchases were delivered with gifts.

26
27 **Conclusions:** Snus is currently being sold on the single market via the
28 Internet in contravention of Swedish legislation and three EU Directives. The
29 apparent willingness of the tobacco industry to contravene EU and Swedish
30 legislation and profit from unlawful sales raises questions about their status as
31 stakeholders in consultations on future policy developments. The findings
32 highlight how national and regional tobacco control legislation can be
33 undermined in an increasingly globalised world.

34

1 **BACKGROUND**

2 Snus is a form of moist snuff traditionally used in Sweden and, due to the way
3 in which it is manufactured and stored, has lower levels of carcinogens than
4 other smokeless tobaccos[1, 2]. In 2002 Gallaher Group plc (now part of
5 Japan Tobacco International) became the first transnational tobacco company
6 to add smokeless tobacco to its smoked tobacco portfolio by acquiring
7 Swedish snus manufacturer Gustavus[3]. Close to a decade after the
8 Gustavus acquisition, all the major cigarette manufacturers, albeit in varying
9 degrees, have entered the snus market. Swedish Match, the only listed
10 smokeless manufacturer yet to be acquired by a major cigarette
11 manufacturer, has now established a joint venture with Philip Morris
12 International to globalise snus sales [4].

13

14 These market developments are significant given that the issue of snus is
15 currently high on the policy agenda in Europe, because the 2001 European
16 Union (EU) Tobacco Products Directive (TPD), which prohibits the sale of
17 snus outside Sweden, is currently under review. This ban, first introduced in
18 1992, was reaffirmed in the 2001 TPD[5]. When Sweden joined the EU in
19 1995 it was granted an exemption from this ban on the basis that it would
20 ensure that snus would not be placed for sale on the markets of other EU
21 Member States. To this end, Swedish Ordinance 1994:1266 prohibits the
22 export of snus to other EU Member States[6]. Consequently, snus can only be
23 legally transported from Sweden to other Member States by someone
24 physically travelling and carrying snus for personal use (or as a gift for
25 personal use).

26

27 From September to December 2010 the European Commission ran a public
28 consultation on potential revisions to the TPD[7]. Online snus vendors have
29 been encouraging customers to write to Members of the European Parliament
30 and the EU Commissioner for Health and Consumer Policy to voice their
31 opposition to the ban [8, 9]. Although consultation responses were not made
32 publicly available, the Commission recently reported that most tobacco
33 industry respondents were in favour of lifting the EU ban on snus, and claimed
34 that snus use can be an effective way to reduce or quit smoking[10].

1

2 A July 2010 European Commission report suggested that snus appears to be
3 available via the Internet through the EU, but that no data exists about where
4 vendors operate from[6]. In November 2010 Finland's ASH and the Cancer
5 Society of Finland requested an inquiry into online snus sales with the
6 Swedish International Prosecutor, based on two Finnish purchases made in
7 April 2009 and September 2010 on www.snusworldwide.com/fi. To date, no
8 published peer-reviewed studies have examined online snus sales in the EU,
9 and no study has critically assessed the conduct of online snus vendors.

10

11 This study aims to explore compliance with the current ban on snus sales and
12 examine the conduct and location of online snus vendors. In so doing it aims
13 to inform debates around revisions to the TPD and to assess broader
14 implications given growing interest in the snus market globally. Two further
15 aspects of EU legislation are noteworthy. First, Directive 2008/118/EC
16 concerning the general arrangements for excise duties, which states that
17 excise products supplied from one Member State directly to a customer in
18 another Member State (known as distance selling) are subject to excise tax
19 and Value Added Tax (VAT) in the Member State where the customer
20 receives the goods[11]. Second, Directive 2003/33/EC which outlaws tobacco
21 advertising across Member State borders including online advertising[12]. We
22 sought to explore compliance with these two pieces of EU legislation, as well
23 as the TPD.

24

25 **METHODS**

26

27 **Google Search for online vendors**

28 To scope the online availability of snus, and determine who is currently
29 distributing snus via the Internet in the EU, the authors initially searched for
30 'buy snus' at www.google.co.uk on 25 October 2010, yielding more than
31 60,000 results. The purpose of this exercise was to scope the online sales
32 presence of snus, not to provide a comprehensive list of online snus vendors,
33 and thus we only reviewed the first 300 Google search results (at this stage
34 the results became saturated and did not yield any new websites). The

1 WHOIS database at www.domaintools.com was then queried to identify the
2 vendors behind the websites. Where the domain owner was a company,
3 further searches were carried out in the Amadeus database (accessed at the
4 British Library Business & IP Centre in London on 26 November 2010) to
5 gather additional information on the company.

6

7 **Snus test purchases**

8 To demonstrate that snus is not just available online, but *sold* to EU residents,
9 test purchases were made between May and November 2010 in a purposive
10 sample of ten EU Member States; Czech Republic, Germany, Greece,
11 Ireland, Italy, Poland, Portugal, Slovakia, Slovenia and United Kingdom (UK).
12 Finland was deliberately excluded as buying snus online became a criminal
13 offence there from October 2010[13]. Test purchasers were volunteers
14 recruited through existing professional and personal contacts of the Tobacco
15 Control Research Group at the University of Bath. All were familiar with
16 accessing the Internet, although their knowledge of snus varied from some to
17 no knowledge at all. To understand how easy it is to locate and buy snus
18 online, we asked test purchasers to conduct their own searches, using search
19 engines and terms of their choice, to identify online snus vendors. We then
20 asked them, if feasible, to buy snus from 5 different outlets. They were
21 requested to forward the vendor's order confirmation and/or invoice to the
22 authors, answer a few basic questions about their experience: 'which vendor
23 did you buy from', 'did you find the ordering process easy to understand',
24 'were you ID checked and how', and 'what postal service was used?' and to
25 share further observations they considered useful to the research. All contact
26 between the authors and test purchasers took place via email.

27

28 **Further analysis of test purchase websites**

29 Between November 2010 and March 2011 we further examined the websites
30 that the test purchasers had used to buy snus in order to determine whether
31 vendors were targeting non-Swedish audiences, using promotions to
32 encourage sales or attract new customers, and whether they made explicit
33 statements on how taxes would be applied. In addition to the latter, we used
34 the invoices to calculate how taxes were levied.

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RESULTS

Online vendors

The authors' preliminary Google search identified 80 websites selling snus. This is not an exhaustive list; we only reviewed the first 300 Google search results and although the results became saturated at this stage and did not yield any new websites, the test purchasers reported an additional six websites (possibly via different search terms including different languages). All 80 websites (domains) were traced back to a small, distinct group of vendors (Table 1). The vast majority of these vendors operate from Swedish territory. Swedish Match website www.generalsnus.com (promoting its premium snus brand General) links directly to several websites operated by the top four vendors identified in Table 1.

In five instances it was impossible to ascertain the true identity of the vendor. The owner of snuscentral.com appears to have paid a fee for private domain registration as their details were hidden from public view, the WHOIS database does not keep records on www.snus2.se for reasons unbeknownst to the authors, and three domain names (dosnus.com, snusdirect.com, and snus.net) are owned by individuals with no apparent links to registered commercial enterprises.

One inconsistency in regard to domain name swedishsnus.com, ostensibly owned by vendor Mysnus AB, is noteworthy. According to an announcement on swedishsnus.com (accessed on 18 May 2011), Mysnus AB took over 'operations' of this website from Swedish Match in November 2009. Yet WHOIS records still show Swedish Match as the domain owner. A recent visit to the website on 7 December 2011 revealed that the website no longer sells snus, but instead automatically redirects to www.svensktsnus.se, a Swedish Match website, promoting (in English) snus use and Swedish Match products.

Test purchases

Forty-three of a possible fifty test purchases were attempted across the ten EU Member States (Table 2). In Greece, Italy and Slovenia only two, two and

1 four attempts respectively (rather than five) were made. There is no indication
2 that the Greek and Slovenian disparity from the protocol was associated with
3 difficulty locating online snus stores. The test purchaser in Italy reported that
4 running a Google search for “comprare snus Italia” easily located only two
5 websites selling snus, but linked to blogs and social networks where advice
6 (in Italian) on buying snus could be obtained.

7
8 Despite sales of snus being illegal in the EU, only two test purchases failed,
9 one on www.buysnus.com and one on www.snusjet.com (which is no longer
10 trading). In both instances the purchasers’ credit cards were rejected for
11 unknown reasons (both test purchasers tried repeatedly with no success).
12 Purchases were made from eighteen unique websites in total (Table 2).

13
14 The ordering process was reported as simple and easy to understand in all
15 forty-three instances. In twenty-two of forty-three instances purchaser’s age
16 was checked by asking for date of birth; in nineteen instances purchasers
17 were asked to tick a box confirming legal age. At the Polish auction website
18 (www.allegro.pl), age was indirectly verified by the auction being open to
19 adults (over 18 years) only (‘normal account’ holders). It was reported that
20 www.swedishsnus.com does not check age.

21
22 All forty-one purchases, save the purchase from www.allegro.pl which was
23 posted locally in Poland, were posted from Sweden (assessment based on
24 shipment carrier and/or shipping label), and delivered within 3 to 11 days. No
25 identification was required at point of delivery and, at least in the UK
26 instances, delivery occurred without the recipient present. Three orders
27 arrived with an unexpected gift: a free can of General snus and two
28 complimentary cans of Choice (a nicotine and tobacco free snus) to the UK
29 and Irish test purchasers respectively (both from www.northerner.com), and a
30 free iPod case from www.buysnus.de to the German test purchaser.

31
32 **Further analysis of the test purchases & the websites used**

33 Target audience

1 Further analysis of the websites used in the test purchases suggests that
2 vendors are targeting non-Swedish European audiences (Table 3). All but one
3 website was in English, with many offering a selection of other languages,
4 notably German. In addition, over half of the websites (11 of 18) provide a
5 customer location drop-down menu on the start page which allows for an EU
6 location other than Sweden (Table 3 and Figure 1), and the Euro is the most
7 common payment currency offered (despite not being used in Sweden) while
8 payment in other EU currencies (the British Pound, Danish Krone, and
9 Estonian Kroon) is also offered.

10
11 Furthermore we also note that three test purchases were made on German
12 websites (www.snuskaufenonline.de, www.buysnus.de, and www.snus.de)
13 (Table 2), and that the Italian test purchaser accessed an Italian front-page,
14 www.snusitalia.it, which automatically redirected to Northerner's main English
15 website (www.northerner.com). Furthermore, MaKe WeBo, which we
16 identified as the second largest online vendor, explicitly claims that
17 *"www.buysnus.com makes it really easy and convenient for you to order the*
18 *Swedish snus outside the borders of Sweden"* (www.buysnus.com, 18 May
19 2011).

20
21 Application of taxes
22 Twenty-six of forty-one invoices were sufficiently specified to enable further
23 analysis of the tobacco duties levied on the snus sales. We calculated that
24 twenty-two of twenty-six sales applied Swedish smokeless tobacco tax of 336
25 SEK per kilogram [14]. Calculations of four invoices were inconclusive. Thirty-
26 one of forty-one invoices specified VAT; calculations and vendor statements
27 determined a 25% tax rate in all cases. Of the countries involved in the test
28 purchases only Sweden applied a 25% VAT rate in 2010; VAT in the ten
29 destination countries ranged from 17.5% in the UK to 23% in Greece. In
30 addition, analysis of the websites indicates that the vendors do not always
31 supply accurate information concerning the tax responsibilities of vendor and
32 customer. Mysnus claims that "it is the responsibility of the buyer to pay for
33 any applicable taxes and duty fees related to their purchase from snus.de"
34 (www.snus.de, 18 May 2011). Likewise MaKe WeBo argues that "Should

1 there be any charge, taxes or duty in the country where the snus is being
2 delivered, the receiver is responsible for these” (www.snusexpress.com, 18
3 May 2011).

4
5 Sales promotions

6 In addition to the free gifts and samples delivered with the test purchases,
7 analysis of the purchase websites provides further evidence that marketing of
8 snus is common, and usually price based. We identified bulk-buy promotions
9 (11 of 18 websites), direct price discounts (2 of 18), competitions (4 of 18),
10 loyalty programmes (9 of 18) and referral schemes (3 of 18), with many
11 websites running numerous promotions. One vendor makes explicit the
12 reasons for its referral scheme: “Snus is a tobacco product and therefore our
13 promotion possibilities are limited. That's why we could use your help to tell
14 others about us” (www.snus4all.com, 27 May 2011). Examples of the most
15 common sales promotion technique, the bulk-buy promotion, include ‘Buy 8
16 cans get 10’ (www.northerner.com, 27 May 2011), ‘Buy 10, pay for 7’
17 (www.buysnus.com, 27 May 2011), or ‘Buy 8 cans of Northerner Citrus &
18 Menthol, (6mg) for € 22,80 and get **2 free!**’ (www.snuskaufenonline.de, 27
19 May 2011). Snus merchandise was also on offer (see Figure 2).

20
21 Of the four websites running prize competitions, three competitions aimed at
22 encouraging bulk buying. For instance, Northerner offers customers a chance
23 to win a snus fridge by buying ten Taboca snus cans plus ten Montecristo
24 snus cans (www.northerner.com, 7 April 2011). In another, on
25 www.swedishsnus.com, the customer has to ‘like’ the vendor on Facebook, a
26 social networking site, automatically alerting all the customer’s Facebook
27 network (‘friends’) to the vendor and its online store (Figure 3).

28
29 **DISCUSSION**

30 Our findings suggest that the online sale and promotion of snus documented
31 in this study contravene three aspects of EU legislation - the Tobacco
32 Products Directive which bans sales of snus outside Sweden, Directive
33 2008/118/EC which requires that excise duties on distance sales are levied in
34 the country of destination, and the Tobacco Advertising Directive which bans

1 online tobacco advertising. Although sale of snus has been prohibited in the
2 EU since 1992, we found that snus is currently being sold on the single
3 market via the Internet, and was easily purchased in all 10 EU Member States
4 where test purchases were attempted. Importantly, our findings suggest that
5 online vendors were deliberately targeting non-Swedish nationals and that
6 most operate from Sweden, despite Swedish Ordinance 1994:1266 banning
7 the export of snus to other EU Member States. Furthermore, our findings
8 suggest that age verification methods are inadequate and that price-based
9 promotions are widespread.

10
11 The main limitation of this study is that we were unable to conduct test
12 purchases in all 27 EU Member States (bar Sweden – where sales are legal).
13 Nevertheless, the fact that all but 2 purchases were successful, that these
14 failures were unrelated to the sales websites but attributable to credit card
15 problems, that the websites are generic and would operate in any Member
16 State, suggest that purchases could be made from anywhere in the EU.

17
18 Our finding that the vast majority of vendors selling snus online in the EU
19 operate from Sweden suggests that Swedish Ordinance 1994:1266 is not
20 being enforced. By contrast, the Swedish Government is reportedly urging
21 the EU to lift the ban on snus, viewing it as a violation of free trade principles
22 rather than a public health issue[15]; an argument first presented by Swedish
23 Match over a decade ago [16, 17]. Furthermore it is unclear how the excise
24 duties from these sales are processed in Sweden, whether they are collected
25 by the Swedish authorities or remain in the pockets of the online vendors.
26 Although these taxes should, in theory at least, be paid in the country
27 receiving the products, achieving this is difficult given that other EU Member
28 States (as far as we are aware) don't have a policy for taxing snus.

29
30 Our findings also document widespread use of price-based snus promotions.
31 Given the dearth of evidence on the tobacco industry's use of price
32 promotions outside the US[18], this is an important finding and supports
33 emerging evidence that price-based promotions are increasing in Europe [19,
34 20]. The EU Tobacco Advertising Directive bans tobacco advertising with

1 cross border implications and defines advertising as “any form of commercial
2 communications with the aim or direct or indirect effect of promoting a tobacco
3 product”. We would argue that this definition includes the promotions detailed
4 in this study. In addition, such promotions contravene Article 13.4 (c) of the
5 World Health Organization’s (WHO) Framework Convention on Tobacco
6 Control (FCTC) which has been ratified by both the European Community and
7 Sweden[21], and which calls for the restriction of direct and indirect incentives
8 that encourage the purchase of tobacco[22]. Furthermore, the 2008
9 Guidelines for the Implementation of FCTC Article 13 state that Internet sales
10 of tobacco should be banned as they inherently involve tobacco advertising
11 and promotion[23].

12

13 This paper raises further questions about the Internet as a vehicle to market
14 and promote tobacco products, in particular to young people. Arguably
15 merchandise with texts like ‘snus is the shit’ are targeted at, and will appeal
16 most to, a younger audience. What’s more, texts like “stop the EU ban on
17 snus” suggest that vendors are attempting to involve customers in EU policy
18 debates. Furthermore, vendors used inadequate age verification procedures,
19 relying entirely on self-report; an important finding in the context of preventing
20 under-aged sales of other tobacco products (e.g. cigarettes) that are legally
21 sold via the Internet in the EU. In this respect it is noteworthy that the conduct
22 of the vendors selling snus online in the EU does not differ significantly from
23 that of vendors selling cigarettes in the US [24, 25].

24

25 Policy and research implications

26 Given Sweden’s apparent failure to fulfill its responsibilities under EU law, it
27 would seem appropriate for the European Commission (which is responsible
28 for ensuring that EU law is correctly applied) to consider starting infringement
29 proceedings and, if necessary, refer the case to the European Court of
30 Justice. Furthermore, other interested parties could raise a complaint with the
31 Swedish International Prosecutor. Resulting investigations could include
32 examination of the conduct of these online vendors and, given the way in
33 which Swedish Match’s website links directly to the online vendors and
34 indications that one of the websites may still be directly owned by Swedish

1 Match, such an investigation should extend to the manufacturers who directly
2 benefit from such sales. It should also examine the payment of taxes on these
3 sales in order to determine the extent of mispayment.

4
5 The Swedish government could consider a licensing system as a means of
6 addressing the issues raised, with the license being revoked if legislation is
7 breached. Such a system would need to extend from the producers, through
8 to the distributors. Tobacco sales licensing systems have been successfully
9 introduced in several countries, including the United States (US), Singapore,
10 Canada and Australia[26].

11
12 The conduct of the vendors involved in selling snus and the difficulties of
13 enforcing existing legislation, need to be borne in mind by the Commission as
14 it revises the TPD. This paper provides strong evidence that those selling and
15 distributing snus (and requesting a reversal of the ban as part of the TPD
16 revision) cannot be trusted to behave responsibly; consequently their rhetoric
17 on harm reduction and “responsibility” should be treated with caution [27, 28].
18 A specific clause prohibiting the sale of snus via the Internet and a clear
19 indication of the penalties those contravening legislation will face, should be
20 included in the revised text to remove any ambiguity. Furthermore, stricter age
21 verification methods for online tobacco sales could help prevent underage
22 online tobacco sales in Europe. Interventions currently used in the US may be
23 helpful. Voluntary agreements with the major credit card companies aimed to
24 prevent the use of credit cards to buy cigarettes online and similar
25 agreements with private couriers to prevent their distribution has been shown
26 to decrease traffic on websites selling cigarettes[29]. Similarly, PayPal’s policy
27 currently prohibits transactions for tobacco products[30], though the authors
28 found one snus vendor offering PayPal as a payment method (this website
29 has since removed the PayPal method of payment, following a complaint from
30 the authors to PayPal). In 2010 the US also introduced more stringent age
31 verification methods via the *Prevent All Cigarette Trafficking Act (PACT Act)*
32 | to reduce underage tobacco sales over the Internet [31]. This Act requires all
33 | online vendors to check US customers’ age and address at time of purchase

1 against 3rd party databases, *and* to ship the tobacco via a courier requiring an
2 adult signature at point of delivery.

3
4 Finally, our findings highlight the need for careful monitoring and enforcement
5 of existing legislation. With other avenues of tobacco advertising quickly
6 diminishing, the Internet is one of the last communication channels left to the
7 industry where it can have a visible presence and very efficiently and
8 effectively communicate with customers worldwide to promote and sell its
9 products. Serious thought needs to be given as to how such monitoring is
10 undertaken. In 2008 the WHO Conference of the Parties (COP) set up an
11 expert group on cross-border advertising, promotion and sponsorship,
12 mandated to keep the COP informed on developments in this area. Despite
13 the establishment of this Expert Group, and this paper showing that
14 monitoring can be easily done, without responsibility and funding for such
15 work clearly allocated, this sort of monitoring is frequently overlooked. This
16 and the lack of appropriate penalties will only encourage industry to
17 contravene legislation.

18
19 Our preliminary findings of the industry's efforts to encourage users to
20 promote products via social networking sites indicates the need for further
21 research to examine how social networking sites and viral marketing
22 techniques are used to promote and increase user acceptance of novel
23 tobacco products.

24
25

26 **What is known on this topic**

27 Existing EU legislation bans the sale of snus outside Sweden, requires taxes
28 on products sold between Member States via the Internet to be paid in the
29 country of receipt, and bans online tobacco advertising. The EU Tobacco
30 Products Directive which bans the sales of snus (as well as establishing rules
31 on tobacco product labelling and ingredients) is currently under review. Major
32 tobacco companies and the Swedish Government have indicated publicly that
33 they support the ban on snus sales being overturned.

34

1 What this paper adds

2 This is the first study that demonstrates that:

- 3 • Snus is being sold on the single market via the Internet in contravention of
4 the existing EU Tobacco Products Directive.
- 5 • Taxes levied on these sales contravene EU tax and customs legislation.
- 6 • Most of the online retailers operate from Swedish Territory and make
7 extensive use of the Internet to promote sales of snus contravening the
8 EU Tobacco Advertising Directive.

9 In short, in their efforts to sell and promote snus, certain segments of the
10 tobacco industry appear to be willing to contravene three pieces of EU
11 legislation. As such, the credibility and integrity of these parties as
12 stakeholders in consultations on future policy developments must seriously be
13 questioned. The findings further highlight how national and regional tobacco
14 control legislation can be undermined in an increasingly globalised world.

15

1 Table 1: List of online vendors marketing snus to EU audience

| Online vendor | No of registered domains |
|--|---------------------------------|
| Northerner Scandinavia AB <i>(Sweden)</i> | 63 |
| MaKe WeBo AB <i>(Sweden)</i> | 5 |
| Snus World Wide AB <i>(Sweden)</i> | 2 |
| Mysnus AB <i>(Sweden)</i> | 2 |
| The Dorco Group <i>(Netherlands)</i> | 1 |
| Swedlex <i>(Sweden)</i> | 1 |
| Snus2 <i>(Sweden)</i> | 1 |
| Snus Shoppen <i>(Denmark)</i> | 1 |
| Individuals <i>(Sweden)</i> | 3* |
| Private registration <i>(Unknown)</i> | 1 |
| Total | 80 |

2 * Two not yet trading

3

4

5 Table 2 Summary of snus test purchases made in 10 EU Member States,
6 between May and November 2010

| COUNTRY FROM WHICH TEST PURCHASE MADE | WEBSITE USED IN TEST PURCHASE | VENDOR | VENDOR ORIGIN | Successful Yes/No |
|--|--------------------------------------|---------------------------|----------------------|--------------------------|
| Czech Republic | | | | |
| 1 | www.buysnus.com | MaKe WeBo AB | Sweden | Yes |
| 2 | www.northerner.com | Northerner Scandinavia AB | Sweden | Yes |
| 3 | www.swedish-snus.com | Northerner Scandinavia AB | Sweden | Yes |
| 4 | www.snusexpress.com | MaKe WeBo AB | Sweden | Yes |
| 5 | www.snus.com | Northerner Scandinavia AB | Sweden | Yes |
| Germany | | | | |
| 1 | www.snus.de | Mysnus AB | Sweden | Yes |
| 2 | www.snuskaufenonline.de | Northerner Scandinavia AB | Sweden | Yes |
| 3 | www.buysnus.de | MaKe WeBo AB | Sweden | Yes |
| 4 | www.snusexpress.com | MaKe WeBo AB | Sweden | Yes |
| 5 | www.snus4all.com | Dorco Company (NL) | Sweden | Yes |
| Greece | | | | |
| 1 | www.northerner.com | Northerner Scandinavia AB | Sweden | Yes |
| 2 | www.snusexpress.com | MaKe WeBo AB | Sweden | Yes |
| Ireland | | | | |
| 1 | www.buysnus.com | MaKe WeBo AB | Sweden | Yes |
| 2 | www.snusexpress.com | MaKe WeBo AB | Sweden | Yes |
| 3 | www.northerner.com | Northerner Scandinavia AB | Sweden | Yes |

| | | | | |
|--|----------------------------------|-----------------------------|-------------|-----|
| 4 | www.snus4all.com | Dorco Company (NL) | Netherlands | Yes |
| 5 | www.premiumsnus.com | MaKe WeBo AB | Sweden | Yes |
| Italy | | | | |
| 1 | www.snusitalia.it ¹ | Northerner Scandinavia AB | Sweden | Yes |
| 2 | www.buysnus.com | MaKe WeBo AB | Sweden | No |
| Poland | | | | |
| 1 | www.allegro.pl | Snusmarket Adam Kramarz | Poland | Yes |
| 2 | www.buysnus.com | MaKe WeBo AB | Sweden | Yes |
| 3 | www.snusexpress.com | MaKe WeBo AB | Sweden | Yes |
| 4 | www.snusen.com | Northerner Scandinavia AB | Sweden | Yes |
| 5 | www.snusjet.com | No longer trading (May '11) | Uncertain | No |
| Portugal | | | | |
| 1 | www.snusexpress.com | MaKe WeBo AB | Sweden | Yes |
| 2 | www.swedishsnus.com ² | Mysnus AB | Sweden | Yes |
| 3 | www.premiumsnus.com | MaKe WeBo AB | Sweden | Yes |
| 4 | www.buysnus.com | MaKe WeBo AB | Sweden | Yes |
| 5 | www.snus4all.com | Dorco Company (NL) | Netherlands | Yes |
| Slovakia | | | | |
| 1 | www.buysnus.com | MaKe WeBo AB | Sweden | Yes |
| 2 | www.northerner.com | Northerner Scandinavia AB | Sweden | Yes |
| 3 | www.snusomatic.com | Northerner Scandinavia AB | Sweden | Yes |
| 4 | www.snus.com | Northerner Scandinavia AB | Sweden | Yes |
| 5 | www.swedish-snus.com | Northerner Scandinavia AB | Sweden | Yes |
| Slovenia | | | | |
| 1 | www.snusjet.com | No longer trading (May '11) | Uncertain | Yes |
| 2 | www.snusexpress.com | MaKe WeBo AB | Sweden | Yes |
| 3 | www.buysnus.com | MaKe WeBo AB | Sweden | Yes |
| 4 | www.schweden-snus.com | MaKe WeBo AB | Sweden | Yes |
| United Kingdom | | | | |
| 1 | www.snussupply.com | No longer trading (May '11) | Sweden | Yes |
| 2 | www.snus4all.com | Dorco Company (NL) | Netherlands | Yes |
| 3 | www.swedish-snus.com | Northerner Scandinavia AB | Sweden | Yes |
| 4 | www.snus.de | Mysnus AB | Sweden | Yes |
| 5 | www.northerner.com | Northerner Scandinavia AB | Sweden | Yes |
| SUMMARY: Eighteen unique websites were randomly accessed to attempt 43 test purchases, of which 41 were successful. | | | | |

1 1 This website automatically redirected to www.northerner.com (see text)

2 2. Website no longer sells snus, and instead has become a Swedish Match promotional website (see
3 text)

4

- 1 Table 3 Further analysis of test purchase websites (N=18) to explore whether
 2 EU citizens (outside Sweden) are targeted

| No. of websites (%) | |
|---|----------|
| Languages offered | |
| English | 17 (94%) |
| German | 11 (61%) |
| Swedish | 9 (50%) |
| Dutch | 5 (28%) |
| French | 5 (28%) |
| Danish | 3 (17%) |
| Spanish | 2 (17%) |
| Italian | 1 (6%) |
| Japanese | 1 (6%) |
| Turkish | 1 (6%) |
| Polish | 1 (6%) |
| Shipment to EU | |
| Freight country option specified within drop down menu as: "within EU", "EU", or "EU countries" | 9 (50%) |
| Drop down menu includes EU countries | 2 (17%) |
| No drop down list but still posted to EU countries as part of test purchase | 7 (39%) |
| Payment currencies offered | |
| Euro (EUR) | 16 (89%) |
| US dollar (USD) | 14 (78%) |
| Swedish krona (SEK) | 13 (72%) |
| Swiss franc (CHF) | 9 (50%) |
| Japanese yen (JPY) | 6 (33%) |
| British pound sterling (GBP) | 5 (28%) |
| Danish krone (DKK) | 5 (28%) |
| Estonian Kroon (EEK) | 5 (28%) |
| Australian dollar (AUD) | 5 (28%) |
| Polish zloty (PLN) | 1 (6%) |

3 **Total websites accessed: 18**

4

5 Figure 1 Screenshot www.buysnus.com (accessed 18 February 2011),
 6 highlighting the selection menu for purchaser's location, with one of the four
 7 choices being 'within the EU'.

8 **[separately attached]**

9

10 Figure 2 Screenshot www.northerner.com (accessed on 22 March 2010),
 11 showing a selection of snus merchandise with printed messages on them
 12 ranging from fun texts to political messages

13 **[separately attached]**

14

15 Figure 3 Screenshot www.swedishsnus.com (accessed 18 March 2011)
 16 showing the vendor running a (social media) competition to promote its snus
 17 products

18 **[separately attached]**

19

20

21

1 **Contributorship statement** SP conducted background literature search,
2 conducted test purchases in the UK and coordinated test purchases in 9 other
3 EU countries, analysed the test purchase findings, undertook Google and
4 database searches and further analysis of websites accessed by the test
5 purchases, and drafted and revised the paper. AG directed the overall project,
6 supervised the test purchases and analysis of the snus websites, wrote
7 sections of and edited the paper.

8
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12
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16
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18
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