

# Harm reduction, not prohibition, right approach to nicotine

FDA pilot program an important step for public safety



Containers of Zyn, a smokeless nicotine pouch, are displayed for sale among other nicotine and tobacco products at a newsstand on Feb. 23, 2024, in New York. (AP Photo/Bebeto Matthews, File)  
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COMMENTARY

By Diane Goldstein  
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OPINION:

As a retired police lieutenant, I’ve seen firsthand how well-intentioned policies often backfire when they ignore basic truths about human behavior. Whether it’s drugs or other public health concerns, the lesson has been the same: When we try to control people’s choices through punishment or sweeping mandates, we often create new harms while failing to address the old ones. That’s why the Food and Drug Administration’s recently announced pilot program to streamline review of nicotine pouch products is a welcome step forward. It reflects a balanced, science-based understanding of the role nicotine pouches play in smoking cessation and public safety.

According to the FDA, this process will help the agency more efficiently evaluate tobacco pouch applications while maintaining strong public health standards. The agency has grounded this program in the science that not all nicotine products carry the same level of risk. Cigarettes remain by far the most dangerous form of tobacco use, but studies have shown that smoke-free products such as pouches fall much lower on the risk continuum. That distinction is the foundation of “harm reduction,” or the idea that helping people move to less harmful alternatives can save lives, even if it doesn’t eliminate nicotine use entirely. This principle isn’t new. We’ve seen the same evidence-based approach benefit public health when applied to issues such as opioid addiction and HIV prevention. In the tobacco space, too many governments continue to cling to an abstinence-only mindset as they seek to reduce and eliminate smoking. They do this by banning products or levying astronomical taxes on cigarettes while neglecting to give people safer choices. The result, as law enforcement officers around the world can attest, is that illicit markets thrive when legal access disappears. Australia offers a cautionary example. The country’s cigarette taxes are among the highest in the world. Although smoking rates have declined in recent years, this approach has also helped give rise to a booming illicit tobacco market now worth billions of dollars. As legitimate businesses and products have been driven out, organized crime has stepped in to provide cheaper products that are unregulated and untaxed, creating new consequences for public health and safety, as well as government revenue.

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Compare the approach with that of Sweden, where regulators have openly embraced harm reduction by allowing products such as pouches and snus to displace traditional cigarettes. As a result, Sweden is now on track to become the world's first smoke-free nation. Smoking-related diseases have plummeted, and the shift happened without criminalizing users or empowering the illicit trade.

New Zealand has shown similar success by rejecting prohibitionist framing and instead encouraging people to switch to safer alternatives such as vaping. Over the past decade, the country's smoking rate has fallen dramatically, not through punishment or stigma but through informed choice and practical harm reduction.

The FDA's pilot program represents an important step in that same direction. Rather than imposing one-size-fits-all bans, the agency is building a regulatory framework that distinguishes among products based on their potential risks and benefits.

For law enforcement, this approach matters. Policies rooted in prohibition aren't just ineffective; they also waste limited police resources by thrusting us to the forefront of public health issues. There is no reason officers should be pulled away from serious crime to focus on low-level possession or cigarette smuggling offenses that could have been avoided through smarter regulation.

As someone who spent decades in law enforcement, I know that real public safety depends on balance. Although the push toward tobacco prohibition is undoubtedly being driven by a genuine concern for public health, we can't simply force people to be healthier overnight. We have to meet people where they are and give them realistic paths toward healthier behavior.

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With its commitment to harm reduction, the FDA has shown that it's possible to take practical steps toward reducing the harms of nicotine use without demonizing or condoning tobacco products or the people who use them. Other countries should take note.

• Lt. Diane Goldstein is a 21-year law enforcement veteran and executive director of the Law Enforcement Action Partnership.

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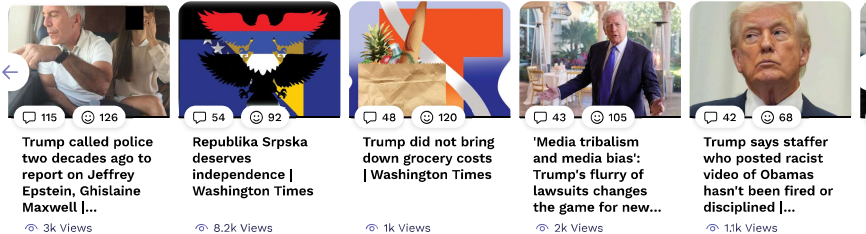
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