



21ST TSC LEGAL INFORMER



SUMMER 2026

France Criminalizes Nicotine Pouches

France has criminalized the possession, importation, and use of non-medically approved nicotine pouches (such as Zyn and Velo). Personnel traveling through or operating in France must ensure they do not carry or use these products to avoid severe legal consequences. The ban applies nationwide across France and covers possession, import, and personal use, not just manufacturing and distribution. Violations can result in extreme penalties with fines beginning at 15,000 Euros and potential imprisonment. Fines can go up to €375,000. If you or anyone you know is traveling to or operating in France, ensure they are aware of this law and leave these products behind.



At this point France is the only Western country to criminalize the use or possession of nicotine pouches. The ban took effect April 1, 2026 and covers the sale, import, export, possession, and use of oral nicotine products such as pouches, gums, pearls, and lozenges that are not medically approved smoking cessation aids. French health authorities classify nicotine as a “toxic substance” and cite rising youth nicotine dependency, poisoning cases, aggressive social media marketing targeting teenagers, and inconsistent nicotine levels in products entering the market. They argue the ban is necessary to curb addiction and prevent severe health incidents such as vomiting, dehydration, seizures, and “acute nicotinic syndromes.”

The ban applies to tobacco-free nicotine pouches like Zyn, but excludes cigarettes and vaping products, chewing tobacco, and medically approved nicotine replacement therapies (e.g., pharmacy-sold nicotine gum or inhalers).



While other European nations have restricted nicotine pouch sales, France's approach is the strictest and the first to impose criminal penalties for possession and use. The ban reflects France's broader youth protection stance.

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The 21st TSC Legal Informer is the newsletter of the 21st Theater Sustainment Command (TSC) Office of the Staff Judge Advocate.

Our mission is to provide outstanding legal support to Soldiers, Civilian Employees and Family Members assigned to or supported by the 21st TSC. Our headquarters is located in Kaiserslautern, Germany. We have branch offices in Kaiserslautern, Sembach and Baumholder, Germany, Mons, Belgium, Brunsum, the Netherlands and Camp Bondsteel, Kosovo.

Copies of this and previous newsletters may be found at: https://armyetaas.sharepoint-mil.us/sites/21TSC_SJA.

Military Off Limits Establishments

By LTC Daniel Jones, Officer-in-Charge, Kaiserslautern Legal Services Center

You may have heard that Ramstein Air Base and the U.S. Army Garrison Rheinland-Pfalz just declared several establishments and businesses off-limits to Soldiers and Airmen. This was done via a formal process called the Armed Forces Disciplinary Control Board (AFDCB) established in Army Regulation 190-24 and Army in Europe and Africa Regulation 190-24. Each of these regulations is joint, meaning they apply to both Army and Air Force personnel. The Army and the Air Force established a joint disciplinary control board in the Kaiserslautern area via a Memorandum of Agreement. Members of the board include senior individuals from U.S. Army Garrison Rheinland Pfalz, the 21st Theater Sustainment Command, the 86th Air Wing, and U.S. Air Forces Europe and Africa.

The joint board met on 29 April 2026 for the first time since 2019. After following the appropriate procedures to ensure that all stakeholders were provided an opportunity to provide input, the board recommended that several establishments and businesses be placed “off-limits” to U.S. personnel. These recommendations were approved by the Board President, the 86th Air Wing Commander, on 2 June 2026. The U.S. Army Garrison Rheinland Pfalz Commander formally declared the establishments off limits to Soldiers on 5 June 2026. Under the above regulations, violations of the Garrison Commander’s decree are punishable under the Uniform Code of Military Justice. The purpose of placing establishments and businesses off limits is to ensure good order and discipline and to protect the health, morale, safety, and welfare of U.S. Forces personnel.

The current off-limits list includes:

Elke Berg: Tierpension Berghof in Mittelbrunn (pet lodging)

Talip Gundogan: The Green Smile in Worms

Steffen Wick: Investment Business in Waldfischbach

Edgar Mayer: Autohaus Mayer in Bruchmühlbach (car repair/body shop)

Ramona Fröhlich: Day Care in Katzweiler

Brigitte Weinand: Day Care in Landstuhl

Mohammad Koohi: Arya Club in Kaiserslautern

Jochi McNair: Sponsor One/Source One and related affiliates or business entities

Paul Oestringer: Happy Night Bar/Club in Kaiserslautern

As leaders, a few things are important to remember. First, the goal is to ensure a fit and ready Army. Educating Soldiers through engaged leadership is the best way to prevent problems. Second, the off-limits process is not a resolution tool for one-time disputes; only establishments and businesses with a record of problems are placed off-limits. Third, if a Soldier has a serious issue with an establishment, it should first be referred to law enforcement or the command, who can then decide to refer the issue to the Armed Forces Disciplinary Control Board, depending on the severity and repeated nature of the problem. Finally, if the command, legal, or law enforcement believes there is a serious problem with Soldiers visiting an entity, they can nominate the entity by emailing KMC.AF.DCB@us.af.mil. Documentation will be required.



European Entry-Exit System

As reported in the Spring and Fall 2025 edition of this newsletter, the European Union (EU) has implemented a new Electronic Entry/Exit System (EES) at its airports. EES is an enhanced passport check requiring biometrics including fingerprints and a facial scan.

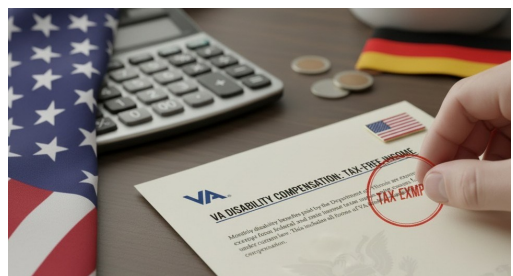


The new EES applies to people who are not citizens of an EU or Schengen zone country who are entering Europe temporarily as a tourist. However, it **DOES NOT APPLY TO U.S. FORCES PERSONNEL STATIONED OR TDY IN EUROPE PURSUANT TO OFFICIAL ORDERS**. U.S. Forces personnel and their dependents should **NOT** register in the new system when they arrive but should explain their status to the customs agents. You will need to show your military identification card and may need to show your orders assigning you to Europe as well. If you travel on leave to other EU countries outside the country where you are stationed, you may be required to register in EES for the duration of your stay in the other country. You should de-register upon departure.

Parents and other family members visiting you will be required to register EES. Once registered as tourists, they will be limited to the normal 90-day tourist stay. When they depart Europe, the system will automatically track how long they have been in country and they may be fined or prosecuted if they exceed the authorized tourist stay.

U.S. Forces personnel and their dependents who are accidentally registered in EES should contact their local passport office or legal assistance office to determine the appropriate means of deregistering. This should be done immediately as European customs officials will assume that you are a tourist and may flag you when you attempt to depart Europe.

U.S. Veterans' Affairs Disability Pay Tax-free in Germany



In a decision dated April 23, 2026, the German Federal Supreme Tax Court (BFH) ruled that Department of Veterans Affairs (VA) disability compensation paid to former U.S. service members remains completely tax-exempt under the German Income Tax Act. The BFH upheld a lower tax court's ruling and dismissed the Finance Office's appeal as unfounded.

Unlike U.S. military retired pay, VA disability payments are not factored into determining the tax bracket for income subject to German taxation (known as the progressive tax rate or *Progressionsvorbehalt*). Consequently, VA payments will not increase the tax rate applied to a veteran's other taxable income in Germany. These payments are considered tax-free, falling into the same category as comparable German or EU disability benefits.

If you have a pending protest regarding your tax return because a Finance Office attempted to subject your VA payments to progressive taxation, you can now resolve your case. The Finance Office must grant your protest, which will trigger an automatic adjustment to your tax bill.

The deadline for filing your 2025 German tax return is July 31, 2026. If you utilize a German tax consultant, this deadline is automatically extended to March 1, 2027.

Operating E-scooters While Drunk

While most of us know about the dangers of driving a motor vehicle while drunk, many are not aware that the same rules apply to operating e-scooters. For service members, operating any vehicle, to include an e-scooter, while intoxicated can lead to a court-martial or non-judicial punishment and loss of driving privileges. Civilians can face host-nation prosecution and loss of driving privileges.

For service members, the military's drunk driving statute, Article 113 of the Uniform Code of Military Justice, will apply. Article 113 covers the operation of ALL vehicles capable of movement on land, including e-scooters. This means that service members who operate e-scooters with a blood alcohol concentration in excess of the military limit (.08 grams per 100 milliliters of blood), can receive non-judicial punishment or be tried by court-martial. In addition, such punishment will result in a number of administrative penalties, to include revocation of a U.S. Forces Certificate of License and, for Soldiers, a written reprimand from a general officer.

Host nation rules also prohibit operating these vehicles while intoxicated. These rules apply to anyone stationed in Europe, to include service members, civilian employees and dependents. Under German law it is illegal to operate any motor vehicle, to include an e-scooter, with a blood alcohol concentration at or above .5 "promille," which is equivalent to an American blood alcohol concentration of .047 grams of alcohol per 100 milliliters of blood. In Belgium and the Netherlands it is also illegal to operate a motor vehicle, to include an e-scooter, with a blood alcohol concentration of .5 promille or higher. In some countries in Europe, such as Romania, it is illegal to operate an e-scooter with ANY blood alcohol concentration; the legal limit is 0 promille. Violation of these rules can result in loss of driving privileges and host nation prosecution, fines and other sanctions.

The bottom line is that operating ANY vehicle while drunk is a very bad idea. The military drunk driving rules and host nation rules prohibit operating all vehicles when drunk — even if the vehicle is small, like an e-scooter.



21st TSC Legal Offices

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Netherlands Law Center

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Kosovo Law Center

Camp Bondsteel, Bldg 1330C

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Legal Outreach: Mock Trial at University of Saarbrücken



The 21st TSC Office of the Staff Judge Advocate conducted a mock trial at the European Institute, part of the University of Saarbrücken, this past January. Over 50 law students from around the world participated in the mock trial, playing the roles of witnesses, attorneys and jurors in a simulated American criminal trial. At left CPT Taylor Swift is presenting a class on the American rules of evidence to prepare the students for the mock trial.

Sembach Legal Assistance Office Sembach Law Center

HOURS: Monday through Thursday
0930-1130 and 1300 to 1600

DIRECTIONS: After entering Sembach Kaserne, proceed straight on the main road past the gas station, before turning right on Larsen Street. The legal assistance office is on the second floor of the first building on the left (Building 151). The building is also located immediately downhill from the Sembach Shoppette.

APPOINTMENTS: To schedule an appointment or ask a question, contact the Sembach Legal Assistance Office directly at DSN 523-0639 (Civilian: +49-143-523-0639).

