

RDC RESOLUTION No. 30, OF MAY 23, 2013

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Amending RDC Resolution No. 355, of November 21, 2003, and revoking RDC Resolutions No. 86, of May 17, 2006, RDC No. 54, of August 6, 2008, and RDC Resolution No. 38, of July 9, 2012, concerning the packaging of tobacco derivative smoking products.

The Collegiate Directory of the National Agency of Health Oversight (ANVISA - *Agência Nacional de Vigilância Sanitária*), in the exercise of the attributions conferred upon it by sub-paragraphs III and IV of Art. 15 of Law No. 9.782, of January 26, 1999, sub-paragraph II and Sections 1 and 3 of Art. 54 of the Internal Regimen approved pursuant to the terms of Annex I of ANVISA Edict No. 354, of August 11, 2006, republished in the DOU of August 21, 2006, and its updates, bearing in mind what is set forth in sub-paragraphs III of Art. 2, III and IV of Art. 7 of Law No. 9.782 of 1999, the Program for Process Improvement of Regulation of the Agency, instituted through Edict No. 422 of April 16, 2008, at a meeting held on May 14, 2013, hereby adopts the following Resolution of the Collegiate Directory, and I, Director President, order its publication:

Art. 1 The heading of Art. 2 of RDC 335, of November 21, 2003, shall be amended to read as follows:

Art. 2 For tobacco derivative smoking products, the warnings transcribed below area to be used simultaneously or on an alternating basis, and in the latter case they must change within a maximum of 5 (five) months, appear in a legible fashion, and prominently displayed, and they are to be accompanied by images made available at the web portal of ANVISA: www.anvisa.gov.br, all of them preceded by the statement, "The Ministry of Health warns:"

1. VICTIM OF THIS PRODUCT – This product poisons mother and baby, causing premature birth and death.
2. GANGRENE – The use of this product obstructs the arteries and impedes the circulation of the blood.
3. DEATH – The use of this product leads to death from lung cancer and emphysema.
4. HEART ATTACK – The use of this product causes death from heart disease.
5. TOXIC SMOKE – Breathing the smoke of this product causes pneumonia and bronchitis.
6. SUFFERING – Nicotine addiction causes sadness, pain and death.

7. TOXIC PRODUCT – This product contains toxic substances that cause sickness and death.
8. DANGER – The risk of stroke is greater with the use of this product.
9. IMPOTENCE – The use of this product diminishes, thwarts or impedes erections.
(NR)

Art. 2 The heading of Art. 3 of RDC 335, of November 21, 2003, shall be amended to read as follows:

Art. 3 For packages of cigarettes, called “packs” or “boxes,” in their various sizes, the standard images made available by ANVISA in its web portal containing warnings, images, the logo and service number for Dial Health (136), must be printed out fully on the largest surface visible to the consumer, without altering the proportions among its elements, or its graphic parameters. (NR)

Art. 3 The logo and phone number for Dial Health (136) must be printed on all packs of tobacco derivative smoking products in their various sizes, as per high-resolution images made available in the web portal of ANVISA: www.anvisa.gov.br.

Art. 4 A period of 6 (six) months is hereby established, counting from the date of publication of this Resolution, to allow manufacturers and importers to bring their packages of tobacco derivative smoking products, as well as materials for the display of products, into compliance with the provisions of this Resolution.

§1 At the end of the period indicated in the heading, retailers can only be provided with packages and materials for display of products that are in accordance with this Resolution.

§2 Products manufactured or imported prior to the period established in the heading of this article and that are not in compliance with the determinations of this Resolution can be commercialized for up to 12 (twelve) months after the publication of this Resolution.

§3 At the end of the periods established in this article, all packages that are not adjusted to this Resolution must be withdrawn from commerce by the manufacturers, importers, distributors and merchants.

§4 The periods set forth in this article apply to all tobacco derivative smoking products without exception.

§5 RDC Resolutions No. 86, of May 17, 2006; RDC No. 54 of August 6, 2008; and RDC Resolution No. 38 of July 9, 2012, are hereby rescinded.

§6 This Resolution of the Collegiate Directory is to enter into force on the date of its publication.

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