

# OFFICIAL GAZETTE

## OF THE REPUBLIC OF THE CONGO

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In consideration of Decree No. 2021-300 of May 12, 2021 nominating the Prime Minister, Head of Government;  
In consideration of both Decrees Nos. 2021-301 of May 15, 2021 and 2021-302 of May 16, 2021 nominating the members of the Government;

In consideration of Decree No. 2021-337 of July 6, 2021 on the responsibilities of the Minister of Territorial Administration, Decentralization, and Local Development;

In consideration of Decree No. 2022-250 of May 10, 2022 convening the electoral college for the partial senatorial elections in certain departments;

In consideration of Order No. 2219 of May 17, 2022 setting the filing deadline for candidacy in the partial senatorial elections, election on June 12, 2022,

Hereby orders:

Article 1: The closing date for filing for candidacy in the partial senatorial elections, election on June 12, 2022, initially set for May 25, 2022 at midnight in the departments of Pointe-Noire, Lékoumou, Pool, and Sangha, is postponed to May 31, 2022 at midnight.

Article 2: This order shall be recorded and published in the Official Gazette of the Republic of the Congo according to the emergency procedure and communicated wherever necessary.

Issued in Brazzaville, May 27, 2022

Guy Georges Mbacka

**Order No. 2854 of May 31, 2022** postponing the closing date for filing for candidacy in the local and legislative elections, elections on July 4 and 10, 2022

The Minister of Territorial Administration,  
Decentralization, and Local Development,

In consideration of the Constitution;

In consideration of Act No. 9-2001 of December 10, 2001 on the amended electoral act, supplemented by Acts Nos. 55-2007 of May 25, 2007, 9-2012 of May 23, 2012, 40-2014 of September 1, 2014, 1-2016 of January 23, 2016, 19-2017 of May 12, 2017, and 50-2020 of September 21, 2020;

In consideration of Decree No. 59-101 of May 26, 1959 on emergency procedures;

In consideration of Decree No. 2016-34 of February 1, 2016 determining the organization and functioning of the independent national electoral commission and the methods for appointing its members;

In consideration of Decree No. 2021-300 of May 12, 2021 nominating the Prime Minister, Head of Government;

In consideration of both Decrees Nos. 2021-301 of May 15, 2021 and 2021-302 of May 16, 2021 nominating the members of the Government;

In consideration of Decree No. 2021-337 of July 6, 2021 on the responsibilities of the Minister of Territorial Administration, Decentralization, and Local Development;

In consideration of Decree No. 2022-245 of May 6, 2022 convening the electorate for local elections and the first round of legislative elections, elections on July 4 and 10, 2022;

In consideration of Order No. 1896 of May 10, 2022 setting the filing deadline for candidacy in the local and legislative elections, elections on July 4 and 10, 2022,

Hereby orders:

Article 1: The closing date for filing for candidacy in the local and legislative elections, elections on June 10, 2022, initially set for May 31, 2022 at midnight, is postponed to June 7, 2022 at midnight throughout the national territory.

Article 2: This order shall be recorded and published in the Official Gazette of the Republic of the Congo according to the emergency procedure and communicated wherever necessary.

Issued in Brazzaville, May 31, 2022

Guy Georges Mbacka

## MINISTRY OF HEALTH AND POPULATION

**Order No. 2853 of May 31, 2022** banning the manufacture, import, distribution, possession, sale, or giveaway of flavor capsule cigarettes, cigarettes with characterizing flavors, and shisha

The Minister of Health and Population;

The Minister of State, Minister of Trade,  
Supply, and Consumption;

The Minister of Safety and Public Order,

In consideration of the Constitution;

In consideration of Act No. 12-2012-2018 of July 4, 2012 on tobacco control;

In consideration of Decree No. 2009-392 of October 13, 2009 on the responsibilities of the Minister of Health and Population;

In consideration of Decree No. 2021-327 of July 6, 2021 on the responsibilities of the Minister of Trade, Supply, and Consumption;

In consideration of Decree No. 2021-331 of July 6, 2021 on the responsibilities of the Minister of Safety and Public Order;

In consideration of Decree No. 2018-2018 of June 15, 2018 implementing the ban on the advertising and promotion of tobacco and its derived products and their sale to and by minors;

In consideration of Decree No. 2018-217 of June 5, 2018 on the packaging and labeling of tobacco and its derived products;

In consideration of the ratification by the Congo on February 6, 2007 of the WHO Framework Convention on Tobacco Control;

In consideration of the partial directives to implement Articles 9 and 10 of the WHO Framework Convention on Tobacco Control;

In consideration of both Decrees Nos. 52021-301 of May 15, 2021 and 2021-302 of May 16, 2021 nominating the members of the Government;

Hereby order:

## SECTION I: GENERAL PROVISIONS

Article 1: The purpose of this order is to strengthen measures to control tobacco use in youth and protect them against health effects related to tobacco consumption. It aims to ban, inter alia, the manufacture, import, distribution, possession, and sale or giveaway of flavor capsule cigarettes, cigarettes with characterizing flavors, and shisha.

Article 2: For the purposes of this order, the terms below shall have the following meanings:

Capsules: Flavored capsules or beads integrated into the cigarette filter or in the cigarette;

Cigarette: Roll of tobacco that may be consumed by a burning process;

Ingredient: Tobacco, an additive, and any other substance or any other element present in the cigarette or in related products, including paper, filter, ink, capsules, and adhesives;

Characterizing flavor: A clearly noticeable smell or taste other than one of tobacco, resulting from an additive or a combination of additives, including but not limited to fruit, spice, herbs, alcohol, candy, vanilla, and others, that is noticeable before or during consumption of the tobacco product;

Flavor: Additive conferring a smell and/or taste;

Additive: Substance other than tobacco that is added during the manufacturing process to a tobacco product, its unit packet, or any outside packaging, including preservatives, humectants, flavors, and processing aids;

Outside packaging: Any packaging in which tobacco products or related products are placed on the market, including a unit packet or an aggregation of unit packets. Transparent wrappers are not regarded as outside packaging;

Unit packet: The smallest individual packaging of a tobacco product or related product that is placed on the market.

Waterpipe tobacco: A smokeable tobacco product that may be consumed using a waterpipe, such as shisha and hookah and their accessories.

## SECTION II: BAN

Article 3: The placing on the market of tobacco products with characterizing flavors in one of their components, such as filters, paper, packaging, and capsules, or any technical features allowing modification of the smell or taste of concerned tobacco products, is prohibited.

Article 4: The labeling of unit packets and any outside packaging and the cigarette itself may not contain any element or feature that resembles a fruit or that contains or refers to a fruity taste or characterizing flavor.

Article 5: The manufacturing, distribution, sale, possession, or giveaway, inter alia, of the following are prohibited:

- Flavor capsule cigarettes (with beads or convertibles, depending on the name) and cigarettes with characterizing flavors or ingredients associated with energy and vitality, such as vitamins, caffeine, taurine, or others creating the impression that a tobacco product has health benefits or that the health risks are reduced;
- Additives conferring coloring properties to emissions;
- Waterpipe tobacco products, as well as the use of shisha and hookah and their accessories.

Article 6: The ban in Article 5 above does not preclude the use of individual additives, provided that they do not produce such flavors.

However, the use of additives necessary for the manufacture of tobacco products, e.g., sugar to replace sugar lost during the curing process, is authorized since these additives do not produce characterizing flavors and do not significantly or measurably increase the toxicity or addictiveness of the products.

Article 7: Without prejudice to the provisions of Decree No. 2018-217 of June 5, 2018 on the packaging and labeling of tobacco and its derived products, cigarette unit packets and outside packaging must comply with the characteristics specified in Article 5 above.

## SECTION III: MISCELLANEOUS, TRANSITIONAL, AND FINAL PROVISIONS

Article 8: Manufacturers, importers and distributors shall have six (6) months to comply with the provisions of this order.

This deadline may not be subject to any waivers or waiver requests, regardless of the reasons or stakes invoked to justify such a measure.

After this deadline, the marketing of cigarettes that do not comply with the provisions of this order is strictly prohibited and considered illegal in the Congo.

The import, sale, and possession with intent to sell of waterpipe tobacco products as well as the use of shisha and hookah and their accessories after this deadline is considered illegal and prohibited in the Congo.

The regulatory inspection services, such as the General Inspectorate of Health, Labor Inspectorate, Health Service, police, and gendarmerie are responsible for ensuring compliance with the provisions of this order.

Article 9: Perpetrators of violations of any of the provisions in this order, and their accomplices, shall be punished pursuant to Articles 16, 17, 18, 19, 20, and 21 of Act No. 12-2012 of July 4, 2012 on tobacco control.

Article 10: This order shall be recorded and published in the Official Gazette of the Republic of the Congo.

Issued in Brazzaville, May 31, 2022

The Minister of Health and Population,

Gilbert Mokoki

The Minister of State, Minister of Trade, Supply, and Consumption,

Alphonse Claude N'Silou

The Minister of Safety and Public Order,

Raymond Zéphirin Mboulou

## B - SPECIAL TEXTS

### PRESIDENCY OF THE REPUBLIC

#### APPOINTMENT TO THE NATIONAL ORDERS

**Decree No. 2022-267 of May 24, 2022.** The following are appointed to the Congolese Order of Merit, on a normal basis:

To the grade of commander

Mr. **MOUTHOU (Jean-Luc)**

To the grade of officer

Ms. **TCHICAYA née OBOA (Régine Bernadette)**

Mr. **M'PASSI MABIALA (Bernard)**

To the grade of knight

Messrs.:

- **BOKE (David)**
- **MABIALA (Jacques)**
- **DIAMBOU BOUNKITA (Presley Dimitri)**
- **ANGO (Louis-Marie)**

Unofficial Translation

The chancellery fees stipulated in the texts in force shall apply.

This decree shall be recorded and published in the Official Gazette of the Republic of the Congo.

**Decree No. 2022-268 of May 24, 2022.** The following are appointed to the National Order of the Peace, on an exceptional basis:

To the grade of commander

Mses.:

- **DAMBENDZET (Jeanne)**
- **MACKANDA (Charlotte)**

To the grade of officer

Mses.:

- **SIANARD (Marianne)**
- **CASTANOU (Joséphine)**
- **MAKOSSO (Jeannette)**
- **GOLENGO (Victoire)**
- **MOMBONGO (Odette)**

To the grade of knight

Mses.:

- **IBATA (Jeanne)**
- **MABOMANA (Marthe)**
- **BIANGANA-VOUKA (Rosalie)**
- **TULA (Charlotte)**
- **FOUEMO LEMBA (Françoise)**
- **KOUBANGUISSA (Anne Constance)**

The chancellery fees stipulated in the texts in force shall not apply.

This decree shall be recorded and published in the Official Gazette of the Republic of the Congo.

**Decree No. 2022-269 of May 25, 2022.** The following are appointed to the Congolese Order of Merit, on an exceptional basis:

To the grade of officer

Mr. **MBONGO-KOUMOU (Guenolé)**

The chancellery fees stipulated in the texts in force are not applicable.

This decree shall be recorded and published in the Official Gazette of the Republic of the Congo.

**Decree No. 2022-270 of May 25, 2022.** The following are appointed to the Congolese Order of Merit, on an exceptional basis:

To the grade of commander

Mr. **MIKURIYA (Kunio)**

To the grade of officer

Messrs.:

- **ALI (Hameed Ibrahim)**