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for amendment and supplementation of certain legislative acts

The Parliament adopts this organic law.

Art. I. – Law No. 278-XVI of December 14, 2007, on tobacco and tobacco articles (Official Gazette of the Republic of Moldova, 2008, No. 47-48, art. 139), as amended, shall be amended and supplemented as follows:

1. The title of the Law shall read as follows:

“Tobacco Control Law”

2. Articles 1 and 2 shall read as follows:

“Article 1. Object and purpose of the Law

(1) This Law regulates tobacco control measures.

(2) Tobacco control is a regulatory mechanism established by the State aimed at reducing the harmful effects on health caused by consumption of tobacco and related products and exposure to tobacco smoke.

(3) The purpose of this Law is to have state-ensured conditions necessary to protect public health from the consequences of consumption of tobacco and related products and exposure to tobacco smoke.

Article 2. Definitions

For the purposes of this Law, the following definitions apply:

additive – means a substance, other than tobacco that is added to a tobacco product, a unit packet or to any outside packaging thereof;

outside packaging – means any packaging in which tobacco or related products are placed on the market and which includes a unit packet or an aggregation of unit packets. Transparent wrappers are not regarded as outside packaging;

flavoring – means an additive that imparts smell and/or taste;

characteristic flavor - means 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, menthol or vanilla, which is noticeable before or during the consumption of the tobacco product;

health warning - means any warning concerning the adverse effects on human health of a product or other undesired consequences of its consumption, including text warnings, combined health warnings, general warnings and information messages, according to this law;

combined health warning – means a health warning consisting of a combination of a text warning and a corresponding photograph or illustration;

electronic library for health warnings – means an electronic file developed and provided by the Ministry of Health, approved by the Government, that contains combined health warnings which must be printed on unit packets or any outside packaging of tobacco products for smoking;

tobacco cultivation – means a set of technological processes used to grow, transplant tobacco seedlings, care for the plants in the field and harvest the leaves;

tobacco waste – means byproducts resulting from the processing and manufacturing of tobacco and related products: tips and stems of tobacco plants, ribs, pieces of tobacco leaves and dust;

emissions – means substances that are released when a tobacco or related product is used as intended, such as substances found in smoke, or substances released during the process of using smokeless tobacco products;

tobacco fermentation – means a set of technological processes during which the tobacco leaves undergo biochemical and physical changes that improve their quality, smokability and capacity for long-term storage;

smoking – means being in possession of a lit tobacco product or related product regardless of whether the smoke is being actively inhaled or exhaled;

tobacco smoke – means smoke that emanates from the burning of a cigarette, waterpipe tobacco, or other tobacco product usually expelled or in combination with the smoke exhaled by the smoker;

tobacco industry – means all companies which produce, import, export, store and/or market tobacco and/or tobacco products;

ingredient – means tobacco, an additive, as well as any substance or element present in a finished tobacco product or related product, including paper, filter, ink, capsules and adhesives;

workplace – means any enclosed or semi-enclosed space used during employment or work, regardless of whether the activity is compensated or not. Workplaces includes not only those areas where work is performed directly, but also all adjacent or associated areas typically used by employees in the course of their work, including corridors, elevators, stairs, lobbies, mechanical rooms, cafeterias, toilets, lounges, lunchrooms, outbuildings, such as workshops and hangars, as well as vehicles used in the course of work;

public transport – means any vehicle used for public passenger transport, usually for a fee, including taxis;

unit packet - means the smallest individual packet of a tobacco or related product that is placed on the market;

placing on the market - means to make products available to consumers by means of sale, or by any other form of conveyance;

addictiveness - means the pharmacological potential of a substance to cause addiction, a state which affects an individual's ability to control his or her behavior, typically by instilling a reward or a relief from withdrawal symptoms, or both;

tobacco re-drying – means a special technological process of hydrothermal processing of unfermented tobacco, applied in combination with other technological industrial processing methods, during which the tobacco leaves undergo biochemical and physical changes that improve their quality, smokability and capacity for long-term storage;

related products – means products made of plants for smoking and products that contain nicotine, including electronic cigarettes;

herbal products for smoking - means products based on plants, herbs or fruits which contain no tobacco and that can be consumed via a combustion process;

nicotine containing products – means any products that can be consumed via inhaling, ingestion or any other way where nicotine is added during the manufacture, or is added by the user before or during consumption;

tobacco products - means products that can be consumed and consist, even partly, of tobacco, whether genetically modified or not;

smokeless tobacco products - means tobacco products not involving a combustion process, including chewing tobacco, nasal tobacco and tobacco for oral use;

tobacco products for smoking - means tobacco products other than a smokeless tobacco product;

new tobacco product - means a tobacco product which:

a) does not fall into any of the following categories: cigarettes, roll-your-own tobacco, pipe tobacco, waterpipe tobacco, cigars, cigarillos, chewing tobacco, nasal tobacco or tobacco for oral use; and

b) is placed on the market after January 1, 2016;

promotion of tobacco products – means activities other than advertising and sponsorship with the aim, or direct or indirect effect, of promoting sales and increase the consumption of tobacco products;

cross-border advertising, promotion and sponsorship of tobacco products – means tobacco products advertising, promotion, sponsorship activities that originate within the territory of the Republic of Moldova and that cross or can cross into the territory of another state, including but not limited to internet, radio or other communication technologies, and tobacco products advertising, promotion, sponsorship activities that originate within the territory of another state, and that cross or can cross into the territory of the Republic of Moldova;

open spaces – means any spaces not covered by a roof and/or not separated by walls or in any other visible manner;

enclosed spaces – means any spaces that have a ceiling or roof and that are completely enclosed, except for the space for doors, windows or passages, regardless if such construction is permanent or temporary, and regardless of the material used in construction;

semi-open spaces – means any spaces that have a ceiling or roof and/or walls that enclose less than 50% of the total surface area of the space, regardless whether such construction is permanent or temporary, and regardless of the material used in construction;

semi-enclosed spaces – means any spaces that have a ceiling or roof and/or walls that enclose no less than 50% of the total surface area of the space, regardless whether such construction is permanent or temporary, and regardless of the material used in construction;

public spaces – means any spaces accessible to the general public and communal spaces, regardless of ownership type or means of access;

tobacco sponsorship – means any form of contribution to any event, activity, or individual person with the aim, or direct or indirect effect, of promoting sales and increase the consumption of tobacco products;

fermented tobacco – means a stable product after tobacco is processed by fermentation or re-drying according to technical standards;

unfermented fermented tobacco – means post-harvest processed tobacco leaves;

roll-your-own tobacco - means tobacco that can be used for making cigarettes by consumers or at retail outlets;

chewing tobacco - means a smokeless tobacco product exclusively intended for chewing;

waterpipe tobacco - means a tobacco product that can be consumed via a waterpipe. For the purpose of this Law, waterpipe tobacco is deemed to be a tobacco product for smoking;

nasal tobacco – means a smokeless tobacco product that can be consumed via the nose;

tobacco for oral use - means all tobacco products for oral use, except those intended to be inhaled or chewed, made wholly or partly of tobacco, in powder or in particulate form or in any combination of those forms, particularly those presented in sachet portions or porous sachets;

cigarettes – means rolls of tobacco that can be consumed as they are and which are not cigars or cigarillos, and rolls of tobacco which, by simple non-industrial handling are inserted into or wrapped in cigarette paper tubes;

electronic cigarette - means a product that can be used for consumption of nicotine-containing vapor via a mouthpiece, or any component of that product, including a cartridge, a tank and the device without cartridge or tank. Electronic cigarettes can be disposable or refillable by means of a refill container or a tank, or rechargeable with single use cartridges;

refill container - means a receptacle that contains a nicotine-containing liquid and/or other harmful substances and which can be used to refill an electronic cigarette;

3. Add Article 2¹ shall read as follows:

“Article 2¹. Scope of the Law

(1) All tobacco products including new and related tobacco products placed on the market must comply with the provisions of this Law and with regulations approved by the Government for the implementation of this Law.

(2) The Government shall not subsidize directly and indirectly, or grant allocations from public funds, or promote in any other form, activities relating to the cultivation and processing of tobacco, manufacture and sale of tobacco products.

4. Article 5 paragraph (2) letter e) shall read as follows:

”e) must not hire and otherwise involve for the cultivation, harvest and post-harvest processing of tobacco, pregnant women and persons under 18 years of age.”

5. In the title and throughout Chapter III, delete the words “tobacco articles” and substitute the words “tobacco products.”

6. In Article 6 paragraph (3), insert at the end the words “as set forth herein.”

7. In Article 7 paragraph (1), insert at the end the words “as set forth herein.”

8. Article 8 shall read as follows:

“Article 8. Quality and compliance of fermented tobacco and related products

(1) Quality and conformity requirements for fermented tobacco and related products are determined by relevant auxiliary standards, and for export items -- also by the purchase and sale contracts or according to standard samples as described.

(2) For fermented tobacco and related products delivered exclusively for export, quality requirements must be set forth in delivery contracts in accordance with the requirements in force in the importing country, customer’s demands or according to standard samples as described.

(3) Quality and conformity of fermented tobacco and related products must be confirmed by statements or certificates of conformity issued based on test reports by duly accredited laboratories.

9. Article 9 paragraph (2), letters b) and c) shall read as follows:

”b) shall respect the rules for acquisition and industrial processing of tobacco, packaging, marking, storage of fermented tobacco, manufacture, packaging, labeling and storage of tobacco products, according to this law and the technical standards approved by the Government and, the requirements in force in the importing countries, as necessary;

c) shall have all documents which confirm that the ingredients used are in conformity with the requirements set forth herein and the technical standards;”

„f) must not hire and otherwise involve for the cultivation, harvest and post-harvest processing of tobacco, pregnant women and persons under 18 years of age.”

10. Chapter IV shall read as follows:

„Chapter IV

INGREDIENTS, EMISSIONS AND REPORTING

Article 10. Regulation of ingredients

(1) It shall be prohibited to place on the market tobacco products with characteristic flavor. The use of additives essential to the manufacture of tobacco products provided the respective additives do not impart to the product a characteristic flavor and do not significantly or measurably increase toxicity, addictiveness, or carcinogenic, mutagenic or reprotoxic properties of the tobacco product is allowed.

(2) The Government establishes the implementing regulations for this Article.

(3) It shall be prohibited to place on the market tobacco of tobacco products, which contain:

- a) vitamins or other additives that create the impression that a tobacco product has a health benefit or presents reduced health risks;
- b) caffeine, taurine and other additives and stimulating compounds which are associated with energy and vitality;
- c) additives having coloring properties for emissions;
- d) additives that contribute to toxicity or addictiveness, or have carcinogenic, mutagenic or reprotoxic properties in unburnt form;
- e) in the case of tobacco products intended for smoking, additives that facilitate inhalation or nicotine absorption;

(4) It shall be prohibited to place on the market tobacco products containing flavorings in any of their component parts, such as filter, paper, packaging, capsules, or any technical features allowing modification of the smell or taste of the tobacco products concerned or their smoke intensity.

(5) Provisions under paragraph (1) shall apply to categories of tobacco products having a menthol characteristic flavor after May 20, 2020;

(6) Tobacco products other than cigarettes and roll-your-own tobacco shall be exempt from the prohibitions under paragraphs (1) and (4).

(7) The placing on the market of tobacco products that violate the provisions of this article shall be sanctioned according to legislation in force.

Article 11. Emission levels for tar, nicotine and carbon monoxide

(1) The emission levels from cigarettes placed on the market shall not be greater than:

- a) 10 mg tar per cigarette;
- b) 1 mg nicotine per cigarette;
- c) 10 mg carbon monoxide per cigarette;

2) The following emission levels are admissible for cigarettes without filter until January 1, 2020:

- a) 13 mg tar per cigarette;
- b) 1.1 mg nicotine per cigarette;
- c) 14 mg carbon monoxide per cigarette;

(3) The tar, nicotine and carbon monoxide emissions from cigarettes shall be measured based on ISO standard 4387 for tar, ISO standard 10315 for nicotine, and ISO standard 8454 for carbon monoxide. The accuracy of the tar, nicotine and carbon monoxide measurements shall be determined in accordance with ISO standard 8243.

(4) The Ministry of Health through the National Public Health Surveillance Service is entitled to verify periodically that the levels of toxic substances in tobacco products conform to the legislation in force.

(5) Measuring the emission levels for tar, nicotine and carbon monoxide, specified in paragraph (1) in accordance with the legislation in force, shall be carried out by duly accredited national testing laboratories, and by other laboratories accredited at national or regional/ international level, including laboratories located in other countries.

Article 12. Reporting information on tobacco products, ingredients and emissions

(1) The National Public Health Center is the institution responsible for collecting, analyzing and disseminating information on tobacco, tobacco products, ingredients and emissions.

(2) Economic operators who manufacture and/or import tobacco products are obliged to submit to the National Public Health Center, prior to the placing on the market of new tobacco products or products with modified composition, the following information:

- a) a list of all ingredients and quantities thereof used during the manufacture process for all brands and product types, as well as emission levels.

The list shall be accompanied by an explanation for the reasons for the inclusion of such ingredients in the tobacco products concerned and an indication of the ingredient's function and category. The list is established in descending order of the weight of each ingredient included in the product.

b) toxicological data known to the manufacturer or importer regarding the ingredients used which may or may not burn, with mention of their effects on health and addictiveness.

(3) Economic operators who manufacture and/or import tobacco products are obliged to submit to the National Public Health Center, before May 31, the following information regarding the activity during the previous year:

a) tobacco quantities, raw material and fermented tobacco used to manufacture tobacco products and its origin;

b) emissions test results for tobacco products manufactured and/or placed on the market;

c) information regarding sponsorship and charitable activities including expenses incurred for such activities;

(4) Economic operators shall be responsible for the accuracy and completeness of the information submitted, subject to penalty under Article 18¹.

(5) The Government shall set requirements and procedure for the submission of information specified in paragraphs (2) and (3).

Article 13. Information to the public

(1) The National Public Health Center shall publicize on its official webpage and regularly update information on tobacco products reported pursuant to Article 12, and ensure the protection of information that constitutes a trade secret and avoid the presentation of information that could be misleading.

(2) In order to keep the public informed, the National Public Health Center ensures dissemination of data through its official webpage, except for confidential information pertaining to recipes and specific product formulae that are deemed by the manufacturer to constitute a trade secret, with regard to:

a) emission levels, specified in Article 11 paragraphs (1) and (2), for brands and types of tobacco products placed on the market;

b) measurement results for emission levels for tobacco products placed on the domestic market of the Republic of Moldova, the name and address of the laboratory that conducted the testing;

c) information specified in Article 12 paragraphs (2) and (3).

(3) Information regarding the ingredients used, emission levels, and toxicological data for ingredients used that are not considered confidential and are available to the public.”

11. The Law shall be supplemented with chapters IV¹, IV², IV³ and IV⁴ shall read as follows:

“Chapter IV¹

PACKAGING AND LABELING TOBACCO PRODUCTS

Article 14. General provisions

(1) Each unit packet and any outside packaging of a domestic or imported tobacco product placed on the market shall carry health warnings. The text is printed in the official language.

(2) Health warnings must cover the entire surface that is reserved for them and they must not be commented on, paraphrased or accompanied by other texts or illustrations.

(3) Health warnings shall be printed in a manner that ensures clarity, visibility and their graphical integrity. Health warnings shall be printed in a manner that ensures they cannot be detached, erased or hidden, or covered or interrupted by other inscriptions or illustrations including price tags, tracing marks, tracking/location and status monitoring marks for products in transit, and remain intact when the unit packet is open. Health warnings shall be printed with indelible ink, in lower case, except for the first letter of the first word.

(4) It shall be prohibited to print health warnings on excise stamps.

(5) The use of packaging, bags, wrappers, boxes or any other object, or affixing the excise stamps in a manner that hides, totally or partially, or interrupts health warnings or any component part thereof by manufacturers and retail sellers of tobacco products shall be prohibited.

(6) The dimensions of the health warnings shall be calculated in relation to the surface on which they are applied on when the packet is closed.

(7) The Government shall set the requirements on the presentation of health warnings and other information that must appear on the unit packet and outside packaging pursuant to the provisions in this article and articles 15, 16, 17².

Article 15. Labeling of tobacco products for smoking

(1) Each unit packet and any outside packaging of tobacco products for smoking shall carry health warnings.

(2) The health warnings shall be framed by a black border of a width of 1 mm that is inside the surface reserved for warnings.

(3) The health warnings include the general warning „Smoking kills. Quit now!” and the information message „Tobacco smoke contains more than 70 cancer-causing substances.” These shall be:

a) printed on the lateral sides of the unit package and outside packaging, on the bottom part. The general warning „Smoking kills. Quit now!” shall be printed on one of the lateral sides of the unit package and outside packaging, and the information message „Tobacco smoke contains more than 70 cancer-causing substances“ -- on the other side of the unit package and outside packaging. In the case of roll-your-own tobacco, the latter shall be printed on the surface that becomes visible when the package is open;

b) shall cover 30% of the surfaces on which they are printed;

c) printed in black *Helvetica* bold type on a white background, the letters occupying the greatest possible surface of the surface reserved for the text.

(4) The combined health warnings comprise a text warning mentioned in paragraph (5) and a corresponding color photograph specified in the electronic library for health warnings, and shall:

a) include the phone number, email address and/or official webpage of the public institution that will inform consumers about available support programs for individuals wanting to quit smoking;

b) cover 65% of the front and back outside surface area of the unit packet or any outside packaging on which they are printed;

c) show the same content on the front and back surface of the unit packet or any outside packaging;

d) be placed on the top part of the front and the bottom part of the back of the unit packet or any outside packaging and be positioned in the same direction as other information appearing on the packaging;

e) be printed in black *Helvetica* bold type on a white background in the case of text warnings, and in white *Helvetica* bold type in the case of information specified in letter a) that shall be printed on the bottom part of the photograph and may cover no more than 30% of its surface;

f) be divided in two sets of seven, which are rotated annually, and appear on an equal number of packet units of smoking tobacco for each brand placed on the market during one year by a single economic operator.

5) Text warnings are as follows:

- 1) Smoking causes 9 out of 10 lung cancers;
- 2) Smoking causes mouth and throat cancer;
- 3) Smoking damages your lungs;
- 4) Smoking causes heart attacks;
- 5) Smoking causes strokes and disability;
- 6) Smoking clogs your arteries;
- 7) Smoking increases the risk of blindness;
- 8) Smoking damages your teeth and gums;
- 9) Smoking can kill your unborn child;
- 10) Your smoke harms your children, family and friends;
- 11) Smokers' children are more likely to start smoking;
- 12) Quit smoking – stay alive for those close to you;
- 13) Smoking reduces fertility;
- 14) Smoking increases the risk of impotence

Article 16. Labeling of tobacco products for smoking other than cigarettes, roll-your-own tobacco and waterpipe tobacco

(1) tobacco products for smoking other than cigarettes, roll-your-own tobacco and waterpipe tobacco shall be exempt from the obligations to carry the information message under Article 15 paragraph (3) and the combined health warnings set forth in Article 15 paragraph (4).

(2) Each unit packet and any outside packaging of tobacco products for smoking other than cigarettes, roll-your-own tobacco and water pipe tobacco shall carry the general warning „Smoking kills. Quit now!” accompanied by the information set forth in Article 15 paragraph (4) letter a), and one of the text warnings set forth in Article 15 paragraph (5).

(3) The general warning shall be printed on the most visible surface of the unit packet and any outside packaging and shall cover no less than 30% of the relevant surface of the unit packet and outside packaging.

(4) The text warning shall be printed on the next most visible surface of the unit packet and any outside packaging and shall cover no less than 40% of the relevant surface of the unit packet and outside packaging.

(5) The text warning shall change every year. Each of the warnings shall appear on equal numbers of unit packets on each brand of tobacco products;

(6) The general warning and the text warnings shall be:

- a) printed in black *Helvetica* bold type on a white background, the letters occupying the greatest possible surface of the surface area reserved for the text;
- b) centered on the allocated surface, and on unit packets and outside packaging that have lateral sides be placed parallel with the lateral edge of the unit packets and outside packaging;
- c) framed by a black border of a width of not less than 3mm and not more than 4 mm that is outside the surface reserved for warnings.

Article 17. Electronic library for health warnings

(1) The Ministry of Health develops and maintains an electronic library for health warnings, available to the public that contains the combined health warnings set forth this Law.

(2) The Ministry of Health offers the health warnings in electronic format free of charge.

Article 17¹ Presentation of tobacco products

(1) Labeling and presentation of unit packets, outside packaging and tobacco products shall not include elements or features that:

- a) promote the tobacco product using false, misleading means, or that could create erroneous impressions about its characteristics, health effects, risks and emissions or draw analogies to the anatomical names for human body parts;
- b) suggest that a particular tobacco product is less harmful than others, including using classifications, such as “light”, “medium”, “ultra”, “extra” and others like these, or that a tobacco product has revitalizing, energizing, healing, rejuvenating, natural, organic, or other beneficial effects on health or lifestyle;
- c) refer to smell, taste, presence of flavorings or lack thereof or any other additives;
- d) create associations with food products, cosmetics or toys.

(2) The elements and prohibited features mentioned in paragraph (1) include, but are not limited to, texts, symbols, names, trademarks, figures of speech or other expressions, misleading colors, inserts or other additional materials, such as adhesive labels, onsets, scratch-offs, and sleeves, or make reference to the shape of the tobacco product.

(3) It shall be prohibited to specify the quantity of harmful substances on the outside or inside of unit packets or directly on the tobacco products, including as part of the trademark.

(4) It shall be prohibited to present food products, toys or other products in the shape of a unit packet or in a shape that creates an association with tobacco products.

(5) The manufacture of unit packet shall not use special technologies and the unit packets shall not contain elements that could modify the appearance of the unit packet or that could distract the consumer. These include but are not limited to:

- a) heat-activated inks and/or inks that become fluorescent under certain lights;
- b) inks or designs that become gradually visible in time;
- c) stick-ons that can be scratched off to reveal photographs or texts;
- d) raised stick-ons, except for the trademark.

Article 17². Traceability

(1) All unit packets of tobacco products shall be marked:

- a) in the manner and at the location determined by the manufacturer indicating serial batch number or its equivalent, to ensure that date and place of manufacture can be identified;
- b) in the manner and at the location determined by the manufacturer with the mention „To be sold in the territory ...” specifying the name of the country where the tobacco products are to be sold. For tobacco products sold in the Republic of Moldova the unit packet shall bear the mention "To be sold in the territory of the Republic of Moldova."

(2) The information specified in paragraph (1) shall be accessible to consumers and control authorities for identification of the tobacco products and monitoring the circulation thereof.

Article 17³. Advertising and promotion through sponsorship of tobacco products

(1) It shall be prohibited to advertise in any form for tobacco products direct or indirect, including radio and television advertising, printed media, cinema and video outlets, internet, using telephone, telegraph networks which includes, but is not limited to, advertising outside and inside enclosed or semi-enclosed public places, particularly advertising outside and inside wholesale and retail outlets that sell tobacco products, and advertising in service-oriented establishments, advertising on or inside public transport, and by mail as well as advertising on smoking accessories.

(2) The use of the trademark and logo placed inside the main headquarters of an economic operator who manufactures, imports, or wholesales tobacco products, and on promotional material intended exclusively for distribution to manufacturers, importers and sellers of tobacco and related products shall be exempt from the provisions in paragraph (1).

(3) Any activity that misleads or creates an erroneous impression about the characteristics of tobacco products and their impact on health shall be prohibited.

(4) It shall be prohibited to promote tobacco products, including through sponsorship or support in any other form of public or commercial actions or initiatives.

(5) Economic operators in the tobacco industry shall be prohibited from initiating or participating in sponsorship or charitable activities in which the name of the economic operator, the trademark of the tobacco product, or any other references to brand names of tobacco products could become visible or any other information regarding its connection to the event becomes advertising.

(6) Any form of advertising and promotion of tobacco products and sponsorship of events and activities linked to tobacco products initiated in the territory of the Republic of Moldova and having a cross-border effect shall be prohibited.

(7) It shall be prohibited to use trademarks of tobacco products to promote other services or use trademarks of other products and services to promote tobacco products.

(8) It shall be prohibited to use smoking accessories (ashtrays, lighters) for the purpose of direct or indirect promotion of tobacco products.

(9) It shall be prohibited to distribute tobacco products free of charge.

(10) Verification of compliance with the provisions in this Article shall be carried out by the National Council on Competitiveness, the National Public Health Surveillance Service and the National Tax Inspectorate according to their authority as established by the law in force.

Chapter IV²

PLACING ON THE MARKET OF TOBACCO AND RELATED PRODUCTS

Article 17⁴. Notification regarding tobacco and related products

(1) Manufacturers and importers of tobacco products and/or related products shall notify the National Public Health Center about any new tobacco product, tobacco product with modified composition or related product that they intend to place on the market.

(2) Notification shall be submitted electronically 90 days prior to placing the product on the market and shall be accompanied by:

- a) detailed product description;
- b) information on ingredients and emissions, set forth in Article 12;
- c) available scientific studies on toxicity, addictiveness and attractiveness of the product, particularly regarding ingredients and emissions;
- d) available studies and market research regarding the preferences of various groups of consumers, including young people.

Article 17⁵. Requirements regarding related products

(1) Products which do not contain nicotine, including electronic cigarettes and refill containers which do not fall under the regulations for pharmaceutical or medicinal products, may be placed on the market provided that:

- a) nicotine content does not exceed 2 mg per unit;
- b) nicotine content in the liquid for electronic cigarettes and refill containers does not exceed 20 mg per 1 ml;
- c) maximum volume of cartridges and tanks for single use electronic cigarettes or single use cartridges does not exceed 2 ml;
- d) maximum volume of refill containers does not exceed 10 ml;
- e) do not contain additives mentioned in Article 10 paragraph (3).

(2) Each unit packet or any outside packaging of products specified in paragraph (1) shall contain the following health warning: "This product contains nicotine which is a highly addictive substance."

(3) The health warning under paragraph (2) shall:

- a) comply with the requirements mentioned in Article 16 paragraph (6);
- b) be printed on the two largest surfaces of the unit packet and any outside packaging;

c) cover no less than 30% of the outside area of the corresponding surface of the unit packet and any outside packaging;

(4) Each unit packet and any outside packaging of plant products for smoking shall carry the following health warning: “Smoking this product harms your health”.

(5) The health warning set forth in paragraph (4) shall:

- a) comply with requirements specified in Article 16 paragraph (6);
- b) be printed on the two largest surfaces of the unit packet and any outside packaging;
- c) cover 30% of the outside area of the corresponding surface of the unit packet and any outside packaging.

(6) Unit packets and any outside packaging of plant products for smoking shall not include any elements or characteristics specified in Article 17¹ paragraph (1).

Article 17⁶. Marketing of tobacco and related products

(1) It shall be prohibited to place on the market tobacco products that do not burn, including tobacco for oral use, chewing tobacco, and nasal tobacco.

(2) The Government shall establish the regulations on the placing on the market of tobacco and related products for smoking.

Article 17⁷. Preventing youth access to tobacco and related products

(1) It shall be prohibited to place on the market tobacco and related products:

- a) for and by persons under 18 years of age;
- b) through street vendors, at improvised counters and commercial vending machines;
- c) through the internet;
- d) without substantiating documents issued by manufacturers or importers, which show the origin and ensure traceability of tobacco and related products;
- e) in packaging other than the manufacturer’s original packaging or in damaged packaging;
- f) in unit packets which contain fewer than 20 cigarettes, from open unit packets or by the piece;

g) in “lipstick-style” packets or in packet which create an association with food or cosmetic products or toys;

(2) The sale of food products, toys and or other products that resemble tobacco products shall be prohibited.

(3) Retail outlets that market tobacco and related products are obliged to post in a visible place information regarding the ban on sales of tobacco and related products to persons under 18 year of age and information on the amount of fines applicable for violating this ban.

(4) To ensure that the person purchasing tobacco and related products is 18 years old, sellers must ask the buyer to present an ID card or any other official photo ID showing the person’s age. If the buyer refuses to show an ID card, the seller does not have the right to sell tobacco and related products.

(5) It shall be prohibited to visibly display tobacco and related products in commercial spaces accessible to the public. The list of tobacco and related products available for sale, their price, printed with black lettering on white paper shall be presented by the seller upon request made by an adult buyer. The provisions in this paragraph shall apply after May 20, 2020.

(6) Commercial establishments having a surface of less than 20m² that sell tobacco and related products must be located no less than 200 m from educational and medical facilities.

Chapter IV³

PROTECTION FROM EXPOSURE TO TOBACCO SMOKE

Article 17⁸. Protection from exposure to tobacco smoke

(1) Smoking shall be prohibited:

a) in all enclosed, semi-enclosed public places, including communal places, workplaces, regardless of ownership type or means of access;

b) in all open public places managed by healthcare facilities, educational institutions, central and local public authorities, including their associated grounds;

c) within 10 m from the entrance to enclosed public places including communal spaces and workplaces, from operable windows, and from air intake units for enclosed public places and workplaces;

d) in amusement parks and on children's playgrounds;

e) in stadiums, arenas, markets and other public places that are open during public entertainment events or other events;

f) under the roof of public transport shelters;

g) in public transport and private transport where minors are present;

(2) Employers, owners or managers of public spaces, workplaces, regardless of ownership type or means of access, may establish special areas for smoking in open or semi-open settings, located so that smoke does not penetrate in enclosed or semi-enclosed public spaces and workplaces.

Article 17⁹. Duties of person in charge

(1) Employers, central and local public authorities apply the smoking ban throughout the space under their management by posting the warning: „Absolutely no smoking in this building/institution/ [on these] premises.”

(2) Owners or managers of public spaces, workplaces, public transport, regardless of ownership type or means of access, where smoking is prohibited, have the duty to:

a) to display at the entrance in the most visible place, in rooms/spaces/public transport the unique no-smoking sign according to ISO 7010:2011 -- a lit cigarette under a red circle with a diagonal bar through it -- which may be accompanied by the warning „No smoking. Smoking in rooms/spaces/public transport is illegal”;

b) to warn persons who smoke in no smoking areas about the smoking ban, and in case of non-compliance to alert the police.

Chapter IV⁴

ENSURING EFFECTIVE TOBACCO CONTROL POLICIES

Article 17¹⁰. Prohibition on partnership with and support from the tobacco industry

(1) Central and local public authorities shall be prohibited from participating in, supporting or accepting:

a) partnerships with the tobacco industry, including initiatives or actions by the tobacco industry that could imply social responsibility, or be described or perceived as being socially responsible;

b) non-binding or unenforceable agreements, memoranda of understanding, voluntary agreements instead of the legal tobacco control measures;

c) direct or indirect, financial or any other form of contribution from the tobacco industry, or its involvement in any form of initiatives, campaigns or programs which are directly or indirectly related to tobacco control or public health, including, but not limited to youth access and education programs, public education campaigns and similar initiatives;

d) proposals, projects or offers of assistance from the tobacco industry for the development and implementation of public policies on tobacco control.

(2) The provisions in this article do not apply to the Customs Service of the Republic of Moldova, or any other central public authorities in the case of actions of national interest.

Article 17¹¹. Prohibition of voluntary contributions from the tobacco industry

(1) It shall be prohibited for representatives of the tobacco industry to offer, and for central and local public authorities and other entities, with or without legal personality, which perform public functions in the legislative, executive or judicial branch, to accept voluntary financial or any other form of contribution, except in cases where such contributions are provided for by law.

(2) It shall be prohibited for representatives of the tobacco industry to offer financial or any other form of contribution, including gifts, to civil servants or high-ranking officials and their family members, and for civil servants or high-ranking officials and their family members to solicit or accept such contributions.

(3) It shall be prohibited for representatives of the tobacco industry to offer any contributions to individuals, organizations, communities or other entities with the aim of promoting directly or indirectly tobacco products or consumption of tobacco products and to accept or facilitate contributions from the tobacco industry.

(4) Any contribution offered or made by representatives of the tobacco to industry with the aim of promoting corporate image is considered a contribution offered or made with the aim of promoting tobacco products or use of tobacco products.

(5) Any contribution offered or made by a retailer with the aim of promoting the tobacco industry is considered an offer to promote tobacco products or consumption thereof.

Article 17¹². Prevention and management conflicts of interest

(1) Any person, who is or has been involved in the management and/or promotion of enterprises in the tobacco industry in the last 24 months, may not participate in the development and implementation of public policies on tobacco control.

(2) Any person involved in the development and implementation of public policies on tobacco control must disclose any personal interest, existing or emerging, as well as provide information regarding their participation in the management or promotion of enterprises in the tobacco industry in the last 24 months.

Article 17¹³. Raising public awareness and public education

The Ministry of Health develops and distributes information on the:

- a) risks of cultivating and processing tobacco;
- b) health risk of consuming tobacco and related products and of exposure to tobacco smoke;
- c) toxicity and addictiveness of tobacco and related products;
- d) necessity to protect public policies on tobacco control from the commercial and other interests of the tobacco industry, and from strategies and practices used, openly or covertly, by the tobacco industry, to undermine and obstruct the development and implementation of public policies on tobacco control, including charitable contributions to public and private organizations.”

12. The title of Chapter V shall read as follows:

„Chapter V

STATE CONTROLLED HEALTH PROTECTION FROM THE CONSEQUENCES OF
CONSUMPTION OF TOBACCO PRODUCTS AND
EXPOSURE TO TOBACCO SMOKE”

13. Article 18:

The title shall read as follows:

“Article 18. Licensing activities in the tobacco industry”

throughout the article, the words „tobacco articles” are replaced by the words „tobacco products;”

in paragraph (2), the words „of the article” are replaced by the words „of the product”;

in paragraph (3), the words „the tobacco article” are replaced by the words „the tobacco product”;

14. The Law is supplemented with article 18¹ and shall read as follows:

„Article 18¹. Revocation of license

(1) The license to import, manufacture and market tobacco and related products shall be revoked in the following cases:

a) placing on the market of tobacco products not labeled as required by the law on the placing on the market of tobacco products and without affixed health warnings or with improperly affixed health warnings;

b) violation of legislation that prohibits advertising of tobacco products and sponsorship of tobacco products;

c) violation of legislation regarding submission of information/reporting on tobacco and related products and activities relating to these products.

(2) The license is revoked by the licensing authority, upon notification by the enforcement body regarding violations specified in paragraph (1), according to legislation in force.”

15. Article 19 shall read as follows:

„Article 19. Surveillance of consumption of tobacco products
and exposure to tobacco smoke

(1) The Ministry of Health is responsible for:

a) monitoring the consumption of tobacco products and exposure to tobacco smoke by developing and implementing methods of collecting and analyzing relevant data;

b) monitoring air quality in enclosed public spaces where smoking is prohibited;

c) monitoring the manufacture, import and marketing of tobacco and related products and activities related to them;

d) promoting a tobacco-free life style by developing and implementing policies to encourage and promote quitting the consumption of tobacco products.

(2) The Ministry of Education in agreement with the Ministry of Health is responsible for including in the pre-university and university curricula topics on the health risks caused by the consumption of tobacco products and exposure to tobacco smoke and the benefits of quitting smoking and adopting a tobacco-free life style.”

16. The Law is supplemented by articles 19¹ and 19² and shall read as follows:

„Article 19¹. Measures to reduce tobacco addiction and promote smoking cessation

(1) Medical education institutions, regardless of their level, shall include in their teaching and continuing education programs methods of diagnosis, counseling and treatment of tobacco addiction.

(2) The Ministry of Health shall organize the system for counseling services for smoke cessation and treatment of tobacco addiction.

(Article 19². Intersectoral collaboration

(1) The Government shall approve, and regularly update, comprehensive intersectoral public policy documents on tobacco control.

(2) Activities relating to coordinating the implementation of comprehensive intersectoral policy documents on tobacco control are carried out by the National Coordinating Council for Tobacco Control (hereinafter referred to as “National Council”).

(3) The National Council is established by the Government as an advisory body without legal entity status.

(4) The Government shall approve the National Council Regulations.

(5) The National Council has the following responsibilities:

a) coordinates the implementation of comprehensive intersectoral policy documents on tobacco control;

b) ensures that interested parties participate in the development, monitoring and implementation of control activities relating to the control of the placing on the market and consumption of tobacco products in the Republic of Moldova and helps to establish long-term

links between all key decision makers involved in the development, promotion and implementation of legislation and public policies on tobacco control;

c) promotes intersectoral partnership between national, international and non-governmental institutions to better control regulatory compliance regarding the manner and conditions of achieving control by the public authorities over the placing on the market and consumption of tobacco products, and ensures effective dialogue between governmental and non-governmental organizations in Moldova and abroad;

d) coordinates the intersectoral process of developing and adjusting legislation on tobacco control with respect to the placing on the market and consumption of tobacco products with the WHO Framework Convention, and Community legislation, and the implementation of legislation and public policies documents on the subject;

e) facilitates intersectoral collaboration for developing public policies on tobacco control, coordinating the implementation thereof.

17. Article 20 shall read as follows:

“Article 20. Liability for violation of the this Law

(1) Failure to comply with the provisions of this Law results in liability according to the legislation in force.

(2) Tobacco products manufactured, imported or marketed in violation of the provisions of this Law shall be confiscated as set forth in by law. Any confiscated tobacco products shall be destroyed. Confiscated tobacco products shall be destroyed in a manner approved by the Government.

(3) Failure to comply with legislation on protection from exposure to tobacco smoke in enclosed, semi-enclosed public spaces, workplaces and public transport by economic operators the activity of which is subject to authorization or licensing, observed repeatedly by the National Public Health Surveillance Service, results in revocation of such authorization. The competent authority shall revoke the authorization or license based on a substantiated intervention by the national chief medical officer in the respective administrative territorial unit."

18. Chapter VI was repealed.

Art. II. – Law No. 1227-XIII of June 27, 1997 on advertising (Official Gazette of the Republic of Moldova, 1997, No. 67-68, art. 555), as amended, shall be amended and supplemented as follows:

1. Article 19, paragraphs (2) and (3) shall read as follows:

„(2) It shall be prohibited to advertise in any form for tobacco products direct or indirect, including radio and television advertising, printed media, cinema and video outlets, internet, using telephone, telegraph networks which includes, but is not limited to, advertising outside and inside enclosed or semi-enclosed public places, particularly advertising outside and inside wholesale and retail outlets that sell tobacco products, and advertising in service-oriented establishments, advertising on or inside public transport, and by mail as well as advertising on smoking accessories.

(3) The use of the trademark and logo placed inside the main headquarters of an economic operator who manufactures, imports, or wholesales tobacco products, and on promotional material intended exclusively for distribution to manufacturers, importers and sellers of tobacco and related products shall be exempt from the provisions in paragraph (2).

Article 22 add paragraph (7) shall read as follows:

„(7) It shall be prohibited to promote tobacco products, including through sponsorship or support in other ways, through public or commercial actions or initiatives in which the trademark of the tobacco product or the name of the manufacturer could become visible or any other information regarding its connection to the event becomes advertising. Any activity that misleads or creates an erroneous impression about the characteristics of tobacco products and their impact on health shall be prohibited.”

Art. III. – Article 12 of Law No. 1587-XIII of February 27, 1998 on mandatory health care insurance (Official Gazette of the Republic of Moldova, 1998, No. 38-39), as amended, shall be supplemented at paragraph (2) with letter g) and shall read as follows:

„g) 1. to initiate legal action, against employers and legal entities in charge of managing enclosed or semi-enclosed public spaces, workplaces, where smoking was allowed, with a view to reimbursement of costs associated with medical treatment of diseases caused by exposure to tobacco smoke.”

Article IV. Criminal Code of the Republic of Moldova No. 218-XVI of October 24, 2008 (Official Gazette of the Republic of Moldova, 2009, No. 3-6, art. 15), as amended, shall be amended and supplemented as follows:

1. The Code is supplemented with article 91¹ shall read as follows:

„Article 91¹. Violation of legislation on the placing
on the market and consumption of tobacco products

(1) The import, placing on the market or marketing of tobacco products unwrapped and unlabeled according to legal provisions

shall be sanctioned with a fine from 130 to 150 conventional units when applied to a physical person, a fine from 450 to 500 conventional units when applied to a legal entity with deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(2) The import, placing on the market or marketing of food products, toys and/or other products resembling tobacco products

shall be sanctioned with a fine from 120 to 150 conventional units when applied to a physical person, a fine from 450 to 500 conventional units when applied to a legal entity with deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(3) The import, placing on the market or marketing of tobacco products that do not burn, and products with added nicotine in amounts greater than those provided for in the legislation in force

shall be sanctioned with a fine from 130 to 150 conventional units when applied to a physical person, a fine from 450 to 500 conventional units when applied to a legal entity with deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(4) The import, placing on the market or marketing of tobacco products with emission levels above those provided for in the legislation in force

shall be sanctioned with a fine from 120 to 150 conventional units when applied to a physical person, a fine from 450 to 500 conventional units when applied to a legal entity with deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(5) The import, placing on the market or marketing of tobacco products that contain ingredients banned by the legislation for tobacco control

shall be sanctioned with a fine from 450 to 500 conventional units when applied to a legal entity.

(6) The placing on the market of tobacco products which contain false, misleading elements of presentation and labeling or which could create erroneous impressions about the characteristics, effects on health, risks and emissions, which suggest that a certain tobacco product is less harmful than others or that it has revitalizing, energizing, healing, rejuvenating, natural, organic, or other beneficial effects on health or lifestyle, or refer to smell, taste, presence of flavorings or lack thereof and/or any other additives

shall be sanctioned with a fine from 400 to 450 conventional units when applied to a legal entity.

(7) The placing on the market of tobacco products without traceability marks shall be sanctioned with a fine from 400 to 450 conventional units when applied to a legal entity with or without deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(8) The use of trademarks of tobacco products for the promotion of other products or services, [use] trademarks of other products or services for the promotion of tobacco products, use of smoking accessories (ashtrays, lighters) for the promotion, direct or indirect, of tobacco products as well as promotional or gift offers of tobacco products

shall be sanctioned with a fine from 120 to 150 conventional units when applied to a physical person, a fine from 450 to 500 conventional units when applied to a legal entity with deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(9) Failure to submit to the National Public Health Centre the information provided for by the law on tobacco control in a timely manner and/or submitting false and incomplete information

shall be sanctioned with a fine from 400 to 450 conventional units when applied to a person in charge, a fine from 450 to 500 conventional units when applied to a legal entity with deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(10) The sale of tobacco products other than face-to-face

shall be sanctioned with a fine from 120 to 150 conventional units when applied to a physical person, a fine from 450 to 500 conventional units when applied to a legal entity.

(11) The visible display of tobacco products in commercial spaces accessible to the public

shall be sanctioned with a fine from 120 to 150 conventional units when applied to a physical person, a fine from 400 to 450 conventional units when applied to a person in charge, a fine from 450 to 500 conventional units when applied to a legal entity.

(12) Failure to display visibly in commercial outlets information on ban to sell tobacco products to persons under the age of 18

shall be sanctioned with a fine from 250 to 300 conventional units when applied to a person in charge, a fine from 350 to 400 conventional units when applied to a legal entity with or without deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(13) Sale of tobacco products to minors or sale of tobacco products without verifying the age of the buyer as set forth in the law

shall be sanctioned with a fine from 120 to 150 conventional units when applied to a physical person.

(14) Failure to display the unique “No smoking” sign

shall be sanctioned with a fine from 250 to 300 conventional units when applied to a person in charge, a fine from 350 to 400 conventional units when applied to a legal entity with or without deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(15) Granting permission to smoke in enclosed and semi-enclosed public spaces, including communal spaces, workplaces and in other places where smoking is prohibited

shall be sanctioned with a fine from 350 to 400 conventional units when applied to a person in charge, a fine from 450 to 500 conventional units when applied to a legal entity with deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(16) Granting permission to smoke in public transport

shall be sanctioned with a fine from 130 to 150 conventional units when applied to a physical person, a fine from 150 to 200 conventional units when applied to a person in charge, a fine from 450 to 500 conventional units when applied to a legal entity with deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(17) Smoking in enclosed and semi-enclosed public spaces, including communal spaces and workplaces, in open public places managed by healthcare facilities, educational institutions, central and local public authorities, including their associated grounds, within 10 m from the entrance to enclosed public places, including communal spaces and workplaces, from operable windows, and from air intake units for enclosed public places and workplaces

shall be sanctioned with a fine from 50 to 70 conventional units when applied to a physical person.

(18) Smoking in public transport and private transport where minors are present, under the roof of public transport shelters, in amusement parks and on children's playgrounds, in stadiums, arenas, markets and other public places which are open during public entertainment events or other events;

shall be sanctioned with a fine from 50 to 70 conventional units when applied to a physical person.

2. Article 203, paragraph (3) was repealed.

3. The Code shall be supplemented with Article 364¹ and shall read as follows:

„Article 364¹. Violation of legislation on advertising
and sponsorship of tobacco products

(1) Displaying and/or broadcasting advertising for tobacco products and promotion through sponsorship of tobacco products, with the aim, or direct or indirect effect, of promoting sales and increase the consumption of tobacco products

shall be sanctioned with a fine from 140 to 150 conventional units when applied to a physical person, a fine from 450 to 500 conventional units when applied to a legal entity with deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

(2) The use of trademarks of tobacco products for the promotion of other products and services, the use of tobacco accessories for the promotion, direct or indirect, of tobacco products, promotional or gift offers of tobacco products

shall be sanctioned with a fine from 100 to 120 conventional units when applied to a physical person, a fine from 400 to 450 conventional units when applied to a legal entity with deprivation of the right to exercise a certain activity for a period of 6 months to 1 year.

4. Article 400 paragraph (1) after the numbers „89–91” insert the text “, art. 91¹ paragraphs (16) and (18).”

5. Article 406:

In the title, the words „national sanitary-epidemiological surveillance” are replaced by the words „national public health surveillance”;

Paragraph (1) shall read as follows:

“(1) Violations set forth in Art. 80-81, Art. 91¹, paragraphs (1)-(15) and (17), Art. 115 paragraphs (1), (2) and (4), Art. 155, 268-271, 276 and 364¹, are examined by the state authority for public health.”

Article V. – Law No. 10-XVI of February 3, 2009 on national public health surveillance (Official Gazette of the Republic of Moldova, 2009, No. 67, art. 183), as amended, shall be amended and supplemented as follows:

1. Article 16 add paragraph (8) shall read as follows:

“(8¹) In the area of tobacco control, the National Public Health Center:

a) ensures the consolidation of public policies on tobacco control, develops health-related draft regulations, methodologies and other documents intended for the protection of public health from the consequences of consumption of tobacco products and exposure to tobacco smoke, ensures highly specialized activities and expert opinions, offers practice-based methodological support in the area of tobacco control;

b) ensures collection, analysis, dissemination of information on the circulation of tobacco and related products on the domestic market, as well as the ingredients in the tobacco products and the content of harmful substances in tobacco products;

c) ensures risk assessment of consumption of tobacco products and exposure to tobacco smoke and communicates these findings to the Ministry of Health and other authorities as well as to the population;

d) ensures verification of compliance regarding the information/reports submitted by the economic operators who manufacture, import, store and sell tobacco products and applies sanctions according to the legislation in force;

e) ensures collection and evaluation of notifications regarding new tobacco products or tobacco products with modified composition;

2. 1. Article 18 paragraph (2) is supplemented with items 9), 10), 11), 12), and 13) shall read as follows:

“9) to verify compliance with legislation on import, manufacture, packaging, labeling, including application of health warnings on tobacco products and to apply sanctions according to the legislation in force;

10) to verify that the unique “No smoking” sign is displayed and apply sanctions according to legislation in force;

11) to verify compliance with legislation and apply sanctions according to legislation in force regarding the ban on;

a) advertising for tobacco products;

b) the placing on the market of tobacco products other than tobacco products for smoking, of products that contain added nicotine in greater amounts than those provided for by the legislation on tobacco control, of food products that contain nicotine, of plant-based products for smoking;

c) presentation of food products, toys and other products that resemble tobacco products;

d) use of trademarks of tobacco products for the promotion of other services and products, as well as, [use] of trademarks of other products or services for the promotion of tobacco products;

e) use of smoking accessories (ashtrays, lighters) with the aim of promoting, directly or indirectly, tobacco products;

f) sale of toys, food products and other products that create an association with tobacco products;

g) visible display of tobacco products in commercial spaces accessible to the public;

h) smoking in enclosed and semi-enclosed public spaces, communal spaces and workplaces, in open public places managed by healthcare facilities, educational institutions, central public authorities, including their associated grounds, within 10 m from the entrance to enclosed public places, communal spaces and workplaces, from operable windows, and from air intake units for enclosed public places and workplaces;

12) to take, for a fee, samples of tobacco and related products placed on the domestic market to verify compliance with legislation on placing on the market of tobacco products . The costs for obtaining and analyzing the samples are provided for in the annual budget for the Ministry of Health;

13) To submit proposals to the licensing authority regarding revocation of licenses for import, manufacture and wholesale sale of tobacco products as set forth in Law No. 278-XVI of December 14, 2007.”

3. Article 31 is supplemented with paragraph (3) shall read as follows:

“(3) Institutions, enterprises, organizations, regardless of ownership type, are obliged to make available to representatives of the National Public Health Surveillance Service authorized to make state-mandated controls related to public health of tobacco products and related documents to verify compliance with tobacco control legislation.”

Art. VI. – Article 25 of Law No. 320 of December 27, 2012 regarding Police activity and law enforcement officer status (Official Gazette of the Republic of Moldova, 2013, No. 42-47, art. 145, paragraph (5) is supplemented with items 23¹ and 23²) shall read as follows:

„23¹ to request compliance with the legislation regarding the ban on smoking in public transport and private transport where minors are present, under the roof of public transport shelters, in amusement parks and on children's playgrounds, in stadiums, arenas, markets and other public places which are open during public entertainment events or other events;

23²) shall determine upon request by employers, owners, managers, enterprise personnel and the population if there are violations regarding the ban on smoking in public spaces by physical persons and to apply the sanctions set forth in the law in force.”

Art.VII.- (1) This Law shall enter into force within two months after its publication, except for Article I the part where it refers to 17³, which shall enter into force on January 1, 2016, and Article 17⁸ and Article 17⁹ paragraph (2) letter a), which shall enter into force on May 31, 2016, and Article. 10 paragraph (4), Articles 14, 15, 16, 17¹, 17², and 17⁵, which shall enter into force on January 1, 2018, and excepting Article II, which shall enter into force on January 1, 2016.

(3) The Government shall:

- within a 30-day term from the publication of this Law ensure the re-publication of Law No. 278-XVI of December 14, 2007 as amended and subsequently supplemented as well as renumber the elements of the law and correct these references, if needed;
- within six-month term from the publication of this Law, bring its normative acts in line with this Law.

PRESIDENT OF THE PARLIAMENT

ANDRIAN CANDU

Chişinău, 29 May 2015.
Nr. 124.