

Republic of Moldova

THE PARLIAMENT

LAW No. 278
dated 12/14/2007

concerning tobacco control*

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AMENDED

LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20

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Amended and supplemented by the following laws of the Republic of Moldova:

RMO78 in OG 78-79 of 4/18/08, p.10

LP308-XVI of 12/25/08, OG 237-240/ 12/31/08, art. 900

LP9-XVI of 2/3/09, OG 55-56/ 3/17/09, art. 157

LP131-XVIII of 12/23/09, OG 23-24/ 2/12/10, art. 35

LP22 of 3/1/12, OG 92/ 5/15/12, art. 290

LP318 of 12/27/12, OG 49-55/ 3/8/13, art. 152

LP124 of 5/29/15, OG 185-189/ 7/17/15; in force since 9/17/15

The Parliament adopts this organic law.

Chapter I

GENERAL PROVISIONS

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 the consumption of tobacco and related products and exposure to tobacco smoke.

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

Article 2. Main terms

For the purposes of this Law, the following main terms apply:

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

aerosol released by tobacco product or related product - emissions produced by activating and using a device for heating a smokeless tobacco product or a related product that does not involve a combustion or smoldering process, or any other new tobacco product activated otherwise for use;

[Art. 2 term introduced by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

outer 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 outer 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 image or illustration;

electronic library for health warnings – means an electronic file developed and provided by the Ministry of Health, Labor and Social Protection, approved by the Government, which contains combined health warnings which must be printed on unit packets or any outer 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 by-products resulting from tobacco processing and manufacturing of 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 or in control of a lit tobacco product or which is smoldering, or a related product, regardless of whether the smoke is being actively inhaled or exhaled. For the purposes of this Law, possession or control of an activated device for heating a smokeless tobacco product or a related product that does not involve a combustion or smoldering process, or any other new tobacco product that does not involve a combustion or smoldering process, regardless of whether the aerosol is being actively inhaled or exhaled, is considered smoking;

[Art. 2 term edited by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

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

[Art. 2 term amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

tobacco industry – means all economic operators 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 include 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 transportation means – 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 potential - 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 which 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 inhalation, ingestion or any other way, where nicotine is added during the manufacture or 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 as well as products made wholly or partly of substances other than tobacco and that meet the requirements applicable to cigarettes and tobacco for smoking;

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, through 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;

tobacco reserve - a smokeless tobacco product, intended for use by means of a tobacco heater and other compounds, to produce aerosol for inhalation, which does not involve a combustion process;

[Art. 2 term amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

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;

cigars or cigarillos:

a) rolls of tobacco with an outer wrapper of natural tobacco;

b) rolls of tobacco with a minced blended filler and with an outer wrapper of the normal color of a cigar, of reconstituted tobacco, covering the product in full, including, where appropriate, the filter, with the exception of tipped cigars, where the unit mass, not including filter or mouthpiece, is not less than 2.3 g and not more than 10 g, and the circumference over at least a third of the length is not less than 34 mm.

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

unfermented tobacco – means post-harvest processed tobacco leaves;

roll-your-own tobacco - means tobacco which 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;

fine-cut tobacco intended for cigarette rolling:

a) tobacco for smoking in which more than 25% by weight of the tobacco particles have a cut width of less than 1,5 millimeter;

b) tobacco for smoking in which more than 25% by weight of the tobacco particles have a cut width of 1,5 millimeter or more and which is sold or intended to be sold for cigarette rolling;

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

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 disposable cartridges;

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

Article 3. 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.

Chapter II PRODUCTION AND POST-HARVEST PROCESSING OF TOBACCO

Article 4. Tobacco production

(1) Tobacco production includes cultivation and post-harvest processing of tobacco in accordance with technological requirements.

(2) Tobacco is produced by natural and legal persons, regardless of ownership type and legal form of organization, who own or lease agricultural land and have the necessary technical and technological means.

(3) The technology of tobacco seedlings production, processing of freshly harvested leaves and unfermented tobacco shall be regulated by technical and regulatory documents and national standards.

Article 5. Post-harvest tobacco processing

(1) Post-harvest tobacco processing includes drying, sorting, packaging processes resulting in unfermented tobacco that meets the requirements set forth by relevant standards applicable in the field or the standard samples submitted by the buyer.

(2) Post-harvest processing of tobacco is carried out by economic operators who have the equipment and necessary technological means at their disposal.

Article 6. Rights and obligations relating to tobacco cultivation and post-harvest processing

(1) Economic operators who engage in the cultivation and post-harvest processing of tobacco have the right to:

- a) cultivate tobacco and perform its post-harvest processing using their own or leased land and equipment;
- b) sell seedlings, freshly harvested leaves and unfermented tobacco at contractual prices, which meet the quality requirements stipulated in sales and purchase agreements;
- c) call on competent expert entities;
- d) benefit from State aid and economic incentives as provided by law;
- e) social protection and health care.

(2) Economic operators who engage in tobacco cultivation and post-harvest processing are obliged to:

- a) maintain and improve soil fertility;
- b) apply technologies which do not have a negative impact on the environment;
- c) comply with workplace protection laws and safety techniques;
- d) use phytosanitary products and fertilizers authorized for plant protection in the Republic of Moldova;
- e) not to hire and train for the cultivation, harvest and post-harvest processing of tobacco, pregnant women and persons under 18 years of age.

Chapter III

**INDUSTRIAL PROCESSING OF TOBACCO.
MANUFACTURE OF TOBACCO PRODUCTS**

Article 7. Industrial processing of tobacco

(1) Industrial processing of tobacco includes:

- a) industrial processing of unfermented tobacco;
- b) post-fermentation processing of tobacco.

(2) The industrial processing of unfermented tobacco includes processes such as receipt of tobacco, forming large homogenous batches, conditioning and unpacking the leaves, cleaning, blending, general sorting, fermenting or stripping, re-drying, packaging, aging, and storing the production according to technical and regulatory documents.

(3) Post-fermentation processing of tobacco includes complex processes and operations carried out by tobacco producing companies, and for export, also by other specialized companies, of preparing the fermented tobacco and/or tobacco strips for cutting, cutting the tobacco, and preparing tobacco blends in accordance with the technological rules and the relevant recipe, pursuant to the requirements set forth in this Law.

(4) Industrial and post-fermentation processing of tobacco is carried out by economic operators who have at their disposal specialists in this field, the technology and necessary technological equipment, measuring devices and product quality control means.

Article 8. Manufacture of tobacco products

(1) The manufacture of tobacco products consists of a set of technological processes and operations, which includes the preparation of tobacco blends, manufacturing, packaging and storage of tobacco products in accordance with the technical and regulatory documents, as set forth in the present Law.

(2) Tobacco products are manufactured by economic operators who have at their disposal the technical and material resources, complete with integral technological processes, equipment and means of quality control for finished products, as well as personnel and specialists with appropriate qualification in the field.

(3) Licensed tobacco products are manufactured from tobacco blend imported from the economic operator owning the respective brands of tobacco products, in the case where the owner does not allow domestic companies to prepare such blend.

Article 9. Quality and conformity of fermented tobacco and tobacco products

(1) Quality and conformity requirements for fermented tobacco and tobacco products are established by applicable related standards, and for those delivered for export - also by sales and purchase agreements or by defined standard samples.

(2) For fermented tobacco and tobacco products delivered exclusively for export, quality requirements shall be set forth in delivery contracts in accordance with the requirements in force in the importing country, with the requirements of the buyer or with defined standard samples.

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

Article 10. Rights and obligations relating to industrial tobacco processing and manufacture of tobacco products

(1) Economic operators who engage in industrial tobacco processing and manufacture of tobacco products have the right to:

- a) carry out, separately or jointly, the industrial processing of tobacco and manufacture of tobacco products;
- b) hold a single license in the case of concurrently engaging in importing, industrial processing of tobacco, manufacturing and wholesale trade of tobacco products and fermented tobacco;
- c) independently determine their assortment, trademarks, volume and production quantity, price and market for fermented tobacco, tobacco strips and tobacco products.

(2) Economic operators who engage in industrial processing of tobacco and manufacture of tobacco products are obliged to:

- a) use machinery in accordance with requirements for technological processes;
- b) comply with rules for purchasing and industrial processing of tobacco, packaging, stamping and storing fermented tobacco, manufacturing, packaging, labeling and storing tobacco products, established by this Law and the technical and regulatory documents approved by the Government, and, as applicable, by the requirements in force in the importing countries;
- c) have all documents confirming that the ingredients used meet the requirements of this Law and of any technical and regulatory documents;
- d) use in the preparation of tobacco blends the varieties, assortment and quality prescribed by the recipe;
- e) produce a licensed production pursuant to license agreements;
- f) not to hire or otherwise train for industrial tobacco processing and manufacture of tobacco products pregnant women and persons under 18 years of age.

Chapter IV

INGREDIENTS, EMISSIONS AND REPORTING

Article 11. Regulation of ingredients

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

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

(3) It is prohibited to place on the market tobacco products which contain:

a) vitamins or other additives that create the impression that a tobacco product has a health benefit or low 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 which contribute to toxicity or addictiveness potential, 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 is 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.

*** Pursuant to LP124 of 5/29/15, OG 185-189/ 7/17/15, art. 374, art. 11 para. (4) shall enter into force on 1/1/18**

(5) Provisions under para. (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 para. (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 12. Emission levels for tar, nicotine and carbon monoxide

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

a) 10mg tar per cigarette;

b) 1mg nicotine per cigarette;

c) 10mg carbon monoxide per cigarette;

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

a) 13mg tar per cigarette;

b) 1.1mg nicotine per cigarette;

c) 14mg carbon monoxide per cigarette;

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

(4) The Ministry of Health, Labor and Social Protection, through the National Public Health Agency is entitled to verify periodically that the levels of toxic substances in tobacco products comply with the legislation in force.

(5) Measuring the emission levels for tar, nicotine and carbon monoxide, specified under para. (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 13. Reporting information on tobacco products, ingredients and emissions

(1) The National Public Health Agency 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 Agency, 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 drafted 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 potential.

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

a) tobacco quantities, raw material and fermented tobacco used to manufacture tobacco products and their 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 the penalty stated under art. 33.

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

Article 14. Information to the public

(1) The National Public Health Agency shall post on its official webpage and regularly update information on tobacco products reported pursuant to art. 13, ensuring the protection of information that constitutes a trade secret and avoiding the presentation of information that could be misleading.

(2) For public information purposes, the National Public Health Agency 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 under art. 12 paras. (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 under art. 13 paras. (2) and (3).

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

Chapter V

PACKAGING AND LABELING TOBACCO PRODUCTS

**** Article 15. General provisions**

(1) Each unit packet and any outer 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, covered or interrupted by other inscriptions or illustrations including price tags, tracing marks, location and ownership status tracking/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 is 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 is 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 placement, presentation of health warnings and other information that must appear on the unit packet and outer packaging pursuant to the provisions in this article and articles 16, 17 and 20.

[Art. 15 para. (8) repealed by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

**** Pursuant to LP124 dated 5/29/15, OG 185-189/ 7/17/15, art. 374, art. 15 shall enter into force on 1/1/18**

*** Article 16. Labeling of tobacco products for smoking**

(1) Each unit packet and any outer 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 outer 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 outer packaging, and the information message “Tobacco smoke contains more than 70 cancer-causing substances” on the other side of the unit package and outer 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) cover 30% of the surfaces on which they are printed;

c) be printed in black bold Helvetica font 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 para. (5) and a corresponding color image 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 outer packaging on which they are printed;

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

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

e) be printed in black bold Helvetica font on a white background in the case of text warnings, and in white bold Helvetica font in the case of information specified under a) that shall be printed on the bottom part of the image 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 unit packets 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 harms 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 harms 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 you love;
- 13) Smoking reduces fertility;
- 14) Smoking increases the risk of impotence

*** Pursuant to LP124 of 5/29/15, OG 185-189/ 7/17/15 art. 374, art. 16 shall enter into force on 1/1/18**

**** Article 17.** 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 art. 16 para. (3) and the combined health warnings set forth in art. 16 para. (4).

(2) Each unit packet and any outer packaging of tobacco products for smoking other than cigarettes, roll-your-own tobacco and waterpipe tobacco shall carry the general warning, „Smoking kills. Quit now!”, accompanied by the information set forth in art. 16 para. (4) let. a), and one of the text warnings set forth in art. 16 para. (5).

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

(4) The text warning shall be printed on the next most visible surface of the unit packet and any outer packaging and shall cover no less than 40% of the relevant surface of the unit packet and outer 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 bold Helvetica font 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 outer packaging that have lateral sides, be placed parallel with the lateral edge of the unit packets and outer packaging;

c) framed by a black border of a width of not less than 3 mm and not more than 4 mm that is outside the surface reserved for warnings.

**** Pursuant to LP124 of 5/29/15, OG 185-189/ 7/17/15 art. 374, art. 17 shall enter into force on 1/1/18**

Article 17¹. Labeling of smokeless tobacco products

(1) Each unit packet and any outer packaging of smokeless tobacco products shall carry the following health warning: “This product severely damages the health and creates addiction”, accompanied by the information set forth in art. 16 para. (4) let. a).

(2) The health warning set forth in para. (1) shall be printed on two of the largest surfaces of the unit pack and of any outer packaging and shall cover at least 30% of the relevant surfaces of the unit pack and the outer packaging.

(3) The health warning set forth in para. (2) must comply with the requirements stated under art. 17 para. (6).

[Art. 17¹ edited by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

Article 18. Electronic library for health warnings

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

(2) The Ministry of Health, Labor and Social Protection offers the health warnings in electronic format free of charge.

*** Article 19.** Presentation of tobacco products

(1) Labeling and presentation of unit packets, outer 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) creates associations with food products, cosmetics or toys.

[Art. 19, para (1) let. d) introduced by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

(2) The elements and prohibited features mentioned in para. (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, onserts, scratch-offs, and sleeves, or make reference to the shape of the tobacco product.

(3) It shall be is 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 removed or scratched off to reveal images or texts;

d) raised stick-ons, except for the trademark.

[Art. 19, para (6) repealed by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

*** Pursuant to LP124 of 5/29/15, OG 185-189/ 7/17/15 art. 374, art. 19 shall enter into force on 1/1/18**

**** Article 20. Traceability**

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

a) in the manner and in the place 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 in the place 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 para. (1) shall be accessible to consumers and control authorities for identification of the tobacco products and monitoring the circulation thereof.

**** Pursuant to LP124 of 5/29/15, OG 185-189/ 7/17/15 art. 374, art. 20 shall enter into force on 1/1/18**

***** Article 21. Advertising and promotion through sponsorship of tobacco products, related products, devices and accessories for their use, recharging or heating**

(1) It shall be prohibited to advertise in any form for tobacco products, related products, devices and accessories for their use, recharging or heating, 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 spaces, particularly advertising outside and inside wholesale and retail outlets that sell tobacco products, related products, devices and accessories for their use, recharging or heating, advertising in service-oriented establishments, advertising on or inside public transportation means, and by post 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, related products, devices and accessories for their use, recharging or heating, and promotional material intended exclusively for distribution to manufacturers, importers and sellers of tobacco and related products shall be exempt from the provisions in para. (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, related products, devices and accessories for their use, recharging or heating, 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, related products, devices and accessories for their use, recharging or heating 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, related products, devices and accessories for their use, recharging or heating and sponsorship of events and activities linked to tobacco products, related products, devices and accessories for their use, recharging or heating 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, related products, devices and accessories for their use, recharging or heating to promote other services, or use trademarks of other products and services to promote tobacco products, related products, devices and accessories for their use, recharging or heating.

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

(9) It shall be prohibited to distribute tobacco products, related products, devices and accessories for their use, recharging or heating free of charge or as gifts.

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

[Art. 21 edited by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

Chapter VI

PLACING ON THE MARKET OF TOBACCO AND RELATED PRODUCTS

Article 22. Notification regarding tobacco and related products

(1) Manufacturers and importers of tobacco products and/or related products shall notify the National Public Health Agency 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 13;
- c) available scientific studies on toxicity, addictiveness potential 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 23.** Requirements regarding related products

(1) Products which 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 disposable electronic cigarettes or disposable cartridges does not exceed 2 mL;
- d) maximum volume of refill containers does not exceed 10 mL;
- e) do not contain additives mentioned in art. 11 para. (3).

(2) Each unit packet or any outer packaging of products specified in para. (1) shall contain the following health warning: "This product contains nicotine. Nicotine is highly addictive."

(3) The health warning under para. (2) shall:

a) comply with the requirements mentioned in art. 17 para. (6);

b) be printed on the two largest surfaces of the unit packet and any outer packaging;

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

(4) Each unit packet and any outer 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 para. (4) shall:

a) comply with requirements specified in art. 17 para. (6);

b) be printed on the two largest surfaces of the unit packet and any outer packaging;

c) cover 30% of the outside area of the corresponding surface of the unit packet and any outer packaging.

(6) Unit packets and any outer packaging of plant products for smoking shall not include any elements or characteristics specified in art. 19 para. (1).

***Pursuant to LP124 of 5/29/15, OG 185-189/ 7/17/15 art. 374, art. 23 shall enter into force on 1/1/18**

Article 24. Marketing of tobacco and related products

(1) It shall be prohibited to place on the market smokeless tobacco products: tobacco for oral use, chewing tobacco, and nasal tobacco.

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

[Art. 24 para. (2) edited by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

Article 25. 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 stalls and counters, and commercial vending machines;

c) through the Internet, with the exception of smokeless tobacco products other than tobacco for oral use, chewing tobacco, and nasal tobacco;

d) without supporting 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 packets which create an association with food or cosmetic products or toys;

(2) The sale of food products, toys 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 sum of fines applicable for violating this ban.

(4) To ensure that the person purchasing tobacco and related products is 18 years of age, sellers are obliged to ask the buyer to produce an ID card or any other official photo ID showing the person's age. In the case the buyer refuses to show an ID card, the seller does not have the right to sell tobacco and related products to such person.

(5) It shall be prohibited to visibly display tobacco products, related products, devices and accessories for their use, recharging or heating in commercial spaces accessible to the public. The list of tobacco products, related products, devices and accessories for their use, recharging or heating 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 para. shall apply after May 20, 2020.

[Art. 25 para. (5) amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

(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 VII

PROTECTION FROM EXPOSURE TO TOBACCO SMOKE AND AEROSOL RELEASED BY TOBACCO PRODUCTS OR RELATED PRODUCTS

[Chapter VII - name amended by LP97 of 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

***Article 26. Protection from exposure to tobacco smoke and aerosol released by tobacco products or related products**

[Art. 26 - name amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

(1) Smoking shall be prohibited:

a) in all enclosed, semi-enclosed public spaces, 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 open entrance to enclosed public spaces including communal spaces and workplaces, from open windows, and from air intake areas/units for enclosed public spaces and workplaces;

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

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

f) under the roof of public transport shelters;

g) in public transportation means and private transportation means 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 and aerosol released by tobacco products or related products do not enter enclosed or semi-enclosed public spaces and workplaces.

[Art. 26 para. (2) amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

*** Pursuant to LP124 of 5/29/15, OG 185-189/ 7/17/15 art. 374, art. 26 shall enter into force on 5/31/16**

Article 27. Duties of person in charge

(1) Employers, central and local public authorities shall 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 transportation means, regardless of ownership type or means of to access, where smoking is prohibited, have the duty to:

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

**** Pursuant to LP124 of 5/29/15, OG 185-189/ 7/17/15 art. 374, art. 26 shall enter into force on 5/31/16**

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 VIII

ENSURING EFFECTIVE PUBLIC TOBACCO CONTROL POLICIES

Article 28. 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 29. 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 30. Prevention and management of conflicts of interest

(1) Any person, who is or has been trained 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 31. Raising public awareness and public education

The Ministry of Health, Labor and Social Protection 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 and to the aerosol released by tobacco or related products;

[Art. 31 para. (b) amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

c) toxicity and addictiveness potential 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.

Chapter IX

STATE-CONTROLLED HEALTH PROTECTION FROM THE CONSEQUENCES OF CONSUMPTION OF TOBACCO PRODUCTS AND EXPOSURE TO TOBACCO SMOKE OR TO AEROSOL RELEASED BY TOBACCO OR RELATED PRODUCTS

[Chapter IX - name amended by LP97 of 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

Article 32: Licensing activities in the tobacco industry

(1) The import, manufacture and wholesale marketing of tobacco products, the import and/or industrial processing of tobacco, the wholesale trade of fermented tobacco are carried out based on a license issued in accordance with the provisions of Law No. 160/2011 regulating entrepreneurial activity by means of authorization, subject to compliance with:

- a) technological parameters and/or specific requirements for each type of activity requested;
- b) occupational safety, fire and health standards.

(2) The import and wholesale license for tobacco products shall concretely specify the type of product (brand).

(3) The import and wholesaling of tobacco products may be carried out only after the manufacturer has affixed the excise stamp directly on the package. In the case where the tobacco product is manufactured with a protective wrap, the excise stamp is affixed under the wrap. The excise stamp is affixed so as to tear when the package is opened.

(4) The import, manufacture and wholesale trade of tobacco products are carried out by specialized economic operators, license holders, who have:

b) their own or leased properly ventilated warehouses, endowed with the equipment necessary to maintain the conditions for storing the production as provided for in the technical and regulatory documents and a computerized recording keeping system;

c) full infrastructure and technological cycle in the field of activity, ensuring the security, control and quality of production;

d) import contracts for tobacco products;

e) import and marketing authorization to for each brand of tobacco products, issued by the owner of the trademark or its licensed manufacturer.

(5) Import and/or industrial processing of tobacco, and wholesale trade of fermented tobacco are carried out in compliance with the provisions of art. 7 para. (4).

(6) Manufacture of tobacco products is carried out in compliance with the provisions of art. 8 para. (2)

(7) In order to obtain/extend a license, the applicant files an application enclosing the following documents:

a) copy of the property title or lease agreement for the warehouse and building where the licensed activity will be carried out;

b) copy of the import agreement for tobacco products (for licensing the import of tobacco products);

c) list of tobacco products to be marketed;

d) for each brand of tobacco products - a copy of the distribution and marketing agreement or confirmation of the distribution and marketing rights issued by the owner of the trademark or its licensed manufacturer (for licensing the import of tobacco products).

Article 33. 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 for smoking and sponsorship of tobacco products;

[Art. 33 para. (1) let. b) amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

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 para. (1), according to legislation in force.

Article 34. Surveillance of consumption of tobacco products and exposure to tobacco smoke and aerosol released by tobacco and related products

[Art. 34 - name amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

(1) The Ministry of Health, Labor and Social Protection is responsible for:

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

[Art. 34 para. (1) let. a) amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

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 lifestyle by developing and implementing policies to encourage and promote quitting the consumption of tobacco products.

(2) The Ministry of Education, Culture and Research in agreement with the Ministry of Health, Labor and Social Protection 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 aerosol released by tobacco and related products, as well as the benefits of quitting smoking and adopting a tobacco-free lifestyle.

[Art. 34 para. (2) amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

Article 35. 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, Labor and Social Protection shall organize the system for counseling services for smoke cessation and treatment of tobacco addiction.

Article 36. 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 amending 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.

Article 37. Liability for violation of 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 seized as set forth by law. Any seized tobacco products shall be destroyed. Seized 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 and aerosol released by tobacco and related products 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 Agency, 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.

[Art. 37 para. (3) amended by LP97 dated 7/26/19, OG 256-259/ 8/16/19 art. 350; effective date: 1/1/20]

PRESIDENT OF THE PARLIAMENT

Marian LUPU

Nr. 278-XVI. Chisinau, December 14, 2007