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LEGAL STATUTES

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HEALTH

**New health warnings are established on “Graphic Regulations for the Use and Application of Health Warnings on Packages, Cigarette Advertising and Other Products Made with Tobacco”, approved through Ministerial Resolution No. 469-2011/MINSA, which must be posted on packages, cigarette advertising and other products made with tobacco.**

**MINISTERIAL RESOLUTION  
No. 684-2014/MINSA**

Lima, September 12, 2014

Considering File No. 14-088037-001, which contains Memorandum No.862-2014-OCS-OCG/MINSA, which attaches Report No. 017-2014-LMBT-OCS-OGC/MINSA from the General Office of Communications of the Ministry of Health;

WHEREAS:

Articles I and II of the Preliminary Title to Law No. 26842, General Health Law, set forth that health is an indispensable condition of human development and a fundamental means of reaching individual and community wellbeing and that the protection of health is in the public interest. Therefore, it is the responsibility of the State to regulate it, watch over it and promote it;

Article 7 (7.1) of Law No. 28705, amended by Article 2 of Law No. 29517, sets forth that, “Packages of cigarettes and, generally speaking, all types of packages or wrappers for tobacco products must have printed warning phrases and images about the damage to health caused by smoking on fifty percent (50%) of each of its principal panels. Likewise, they must bear the printed phrase, “SALE FORBIDDEN TO MINORS UNDER THE AGE OF 18” within the same area and in a permanent manner;

Article 18 (18.3) of the Regulation to Law No. 28705, General Law for the Prevention and Control of the Risks from Tobacco Consumption, approved by Supreme Decree No. 015-2008-SA, amended by Article 1 of Supreme Decree No. 001-2011-SA, sets forth that through Ministerial Resolution from the Ministry of Health the following health warning characteristics shall be established, as contained in Article 22 (22.2) of the cited Regulation, amended by Article 1 of Supreme Decree No. 001-2011-SA;

The health warnings for purposes of the marketing of tobacco products shall be in effect for twelve (12) months and must be published in the Official Gazette “El Peruano” six months in advance, pursuant to the provisions of Article 32 of the above cited Regulation;

By Article 1 of Ministerial Resolution No. 469-2011/MINSA, approval was made of the “Graphic Regulations for the Use and Application of Health Warnings on Packages, Cigarette Advertising and Other Products Made with Tobacco”;

By Ministerial Resolution No. 607-2013/MINSA, dated September 26, 2013, health

regulations were established that have been posted on packages, cigarette advertising and other products made with tobacco;

Pursuant to the provisions of Article 38 (b) of the Regulation on the Organization and Duties of the Ministry of Health, approved by Supreme Decree No. 023-2005SA and its amendments, the General Office of Communications is the support body in charge of health communication actions undertaken by the Ministry of Health and has as one of its general duties the designing and proposal to Senior Management of the guidelines on health policy communications and the advice on their application;

Through the document in reference, the General Office of Communications has sent the new health warnings that must be posted on packages, cigarette advertising and other products made with tobacco so that they may be approved with Ministerial Resolution;

By virtue of the above, is it appropriate to issue the decision establishing the new health warnings that must be posted on packages, cigarette advertising and other products made with tobacco;

With the authorization of the General Director of the General Office of Communications, the General Director of the General Office of Legal Counsel and the Vice Minister of Health; and,

Pursuant to the provisions of Legislative Decree No. 1161, Law of Organization and Duties of the Ministry of Health, Law No. 28705, General Law for the Prevention and Control of the Risks from Tobacco Consumption and its amendments and its Regulation, approved by Supreme Decree No. 015-2008-SA and its amendments;

**IT IS HEREBY RESOLVED:**

**Article 1.** – To establish as new health warnings the graphics from pages nineteen (19) and twenty-seven (27) of the “Graphic Regulations for the Use and Application of Health Warnings on Packages, Cigarette Advertising and Other Products Made with Tobacco”, approved through Ministerial Resolution No. 469-2011/MINSA, which must be posted on packages, cigarette advertising and other products made with tobacco, within a period of six (6) months from the day following publication of this Ministerial Resolution in the Official Gazette “El Peruano”.

**Article 2.** – To make the General Office of Communications responsible for the publication of this Ministerial Resolution on the internet portal of the Ministry of Health at the electronic address: [http\[sic\]://www.minsa.gob.pe/transparencia/dge\\_normas.asp](http[sic]://www.minsa.gob.pe/transparencia/dge_normas.asp).

It is hereby ordered that this be recorded, communicated and published.

MIDORA DE HABICH ROSPIGLIOSI  
Minister of Health