

Republic of Turkey
MINISTRY OF HEALTH
General Directorate for Basic Health Services



File: B.100.TSH.027.00.01.

Subject: Implementation of Law No. 4207

TO THE GOVERNORSHIP OF

The failures of the inspections carried out in connection with the implementation of Law No. 4207 "On Prevention and Control of Tobacco Products Hazards" are covered in media news or indicated in complaints submitted for consideration of the Ministry.

It is self-evident that the activities aimed at protecting people and future generations from tobacco smoke have a positive impact of human health. One of the benefits of such activities is that the number of patents referring to emergency services due to the diseases related to the consumption of tobacco products has decreased by 20%. In order to expand the range of such benefits and continue implementing uninterruptedly the measures aimed at protecting from hazards caused by tobacco products, please perform the following:

In this regard, the following measures are to be implemented:

1. Prepare a list of all businesses providing entertainment services where no tobacco use is allowed, specifically any restaurants, cafes, cafeterias, and beer houses; conduct inspections during daytime hours as well as during off hours on a regular basis;
2. For businesses with both indoor and outdoor areas, inspect whether necessary precautions have been taken to prevent any leakage of tobacco smoke to the adjacent indoor area if smoking takes place in the outdoor area; if no such precautions have been taken, regard such businesses as violating the provisions of the Law related to the consumption of tobacco products in outdoor (open) areas pursuant to Prime Ministry Circular No. 2009/13;
3. Make sure that all inspectors taking part in the inspections have been appropriately trained;
4. Police force representatives shall be included in the inspection teams;
5. The businesses to be inspected should not be warned in advance of any scheduled inspections, and necessary measures are to be taken to prevent any leakage of the information related thereto.
6. Make sure that the businesses which have violated the Law are appropriately penalized by carefully implementing any necessary follow-up measures; investigate any public officials and members of municipal councils who have failed to fulfill their duties imposed by the Law as required by Law No. 4483 "On Trying Civil Servants and Other Public Officials," with notifying any relevant authorities, or, if necessary, the Public Prosecutor's Office, regarding the circumstances of such investigation;
7. Any relevant administrative offices, governor's offices, or the Ministry of Internal Affairs shall be accordingly informed of such administrative and disciplinary measures taken against any authorized agencies as required by the provisions set forth in State Servants Law No. 657, Municipal Law No. 5393, and Turkish Criminal Code No. 5237.

Dr. Nihat Tosun
Undersecretary
of the Ministry of Health

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