

MINISTRY OF HEALTH

MINISTRY OF THE INTERIOR

MINISTRY OF FOREIGN AFFAIRS

MINISTRY OF ECONOMY AND FINANCE

MINISTRY OF NATIONAL DEFENSE

MINISTRY OF EDUCATION AND CULTURE

MINISTRY OF TRANSPORT AND PUBLIC WORKS

MINISTRY OF INDUSTRY, ENERGY, AND MINING

MINISTRY OF LABOR AND SOCIAL SECURITY

MINISTRY OF PUBLIC HEALTH

MINISTRY OF LIVESTOCK, AGRICULTURE, AND FISHERIES

MINISTRY OF TOURISM

MINISTRY OF HOUSING AND TERRITORIAL PLANNING

MINISTRY OF SOCIAL DEVELOPMENT

MINISTRY OF THE ENVIRONMENT

Montevideo, June 10, 2025

WHEREAS: Decree No. 87/021, dated March 3, 2021;

FINDING: I) That Article 2 of the Decree mentioned above provides that electronic devices for nicotine delivery that use heated tobacco technology shall be regulated by the provisions of Law No. 18,256, dated March 6, 2008, and its amending laws, as well as Decree No. 284/008, dated June 9, 2008;

II) That since the enactment of Law No. 17,793 of July 16, 2004, which ratified the World Health Organization Framework Convention on Tobacco Control and its implementation guidelines, Uruguay has had to develop regulations addressing the various aspects involved in tobacco control, including the presentation of tobacco products to the public, with the aim of reducing their demand and consumption;

III) That Article 1 of Law No. 18,256 establishes that “all persons have the right to enjoy the highest possible level of health, to improvements in all aspects of hygiene at work and in the environment, and to the prevention, treatment, and rehabilitation of diseases, in accordance with the provisions of various international agreements, pacts, declarations, protocols, and conventions ratified by law”;

IV) That Article 10 of Law No. 18,256 establishes that “the basic services available for the treatment of tobacco dependence, including pharmaceutical products, whether these are medicines, products used to administer medicines, and diagnostic means, where appropriate, must be adequately publicized”;

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V) That Article 8 of Decree No. 284/008 stipulates that “the manufacture and/or sale of food, candy, toys, and other items that are shaped like tobacco products and may be attractive to minors” is prohibited;

VI) That the above provisions aim to eliminate the promotion of tobacco consumption in any way, as well as the social acceptance of tobacco consumption, in accordance with the provisions of the World Health Organization Framework Convention on Tobacco Control, ratified by the Eastern Republic of Uruguay through Law No. 17,793 of July 16, 2004;

VII) that in accordance with the provisions of Article 14, paragraph B) of Law 17,164 of September 2, 1999, “Inventions contrary to public order, morality, public health, the nutrition of the population, safety, or the environment” are not patentable;

VIII) that Decree No. 299/017, dated October 16, 2017, extended the regulations governing all tobacco products to electronic smoking devices, prohibiting their use in enclosed spaces;

CONSIDERING: I) that, as provided for in Article 44 of the Constitution of the Republic, the State is responsible for legislating on all matters relating to public health and hygiene, seeking the physical, moral, and social improvement of all the inhabitants of the country;

II) That the World Health Organization rightly asserts that all forms of tobacco use are harmful, including heated tobacco products, on the understanding that tobacco is inherently toxic and contains carcinogens, even in its natural state;

III) That to date, no product regulated by Decree No. 87/021 of March 3, 2021, has been registered for sale in the country;

IV) That it is appropriate to repeal Decree No. 299/017, dated October 16, 2017, and Decree No. 87/021, dated March 3, 2021;

NOTING: the foregoing and the provisions of Article 44 of the Constitution of the Republic, Article 2 of Law No. 9,202, Organic Law on Public Health, of January 12, 1934, Article 14, paragraph B) of Law No. 17,164, of September 2, 1999, the World Health Organization Framework Convention on Tobacco Control ratified by Law No. 17,793 of July 16, 2004, Articles 1 and 10 of Law No. 18,256 of March 6, 2008, Article 8 of Decree No. 284/008, dated June 9, 2008, Decree No. 534/009, dated November 23, 2009, and other amending and related provisions;

THE PRESIDENT OF THE REPUBLIC,
acting in the Council of Ministers,
DECREES:

Article 1.- Article 1 of Decree No. 534/009, dated November 23, 2009, is hereby replaced and shall read as follows: “The marketing, importation, registration as a trademark or patent, and

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advertising of any electronic smoking device, known as "electronic cigarettes," "e-cigarettes," "e-ciggy," "e-cigar," among others, including those offered as an alternative in the treatment of smoking, is prohibited. This prohibition also includes nicotine delivery products that use heated tobacco technology. Likewise, all prohibitions included in Law No. 18,256 of March 6, 2008, as well as its Regulatory Decree No. 284/008 of June 9, 2008, amendments and related provisions, established with respect to tobacco products in general, are extended to all those mentioned in the previous paragraph."

Article 2.- Decree No. 299/017, dated October 16, 2017, and Decree No. 87/021, dated March 3, 2021, are hereby repealed.

Article 3.- Communicate.

Internal Decree No.
Executive Branch Decree No.
Ref. No. 001-3-1072-2023
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