

LAW  
AMENDING THE LAW ON THE RESTRICTED  
USE OF TOBACCO PRODUCTS

Article 1.

In the Law on the Restricted Use of Tobacco Products (Official Gazette of the Federation of BIH, No. 6/98, 35/98, and 11/99) Article 7 is amended to read:

"Article 7.

It is prohibited to manufacture and sell tobacco products without clearly marked information outlining the amount of tar, nicotine, and carbon monoxide, on the side of any original individual package of the tobacco product on the market.

Data on the amount of tar, nicotine, and carbon monoxide on the side of each original individual package from paragraph 1 of this Article, must cover at least 15% of the side of any original individual package of the tobacco product on the market.

In addition to the data under paragraph 1 of this Article, any original individual package of the tobacco products on the market must contain the following information: date of manufacture and expiration date, and importer's label for imported tobacco products.

Method of labelling data referred to in paragraphs 1, 2, and 3 of this Article, as well as the layout of data on any original individual package of the tobacco product on the market, shall be precisely specified by the Regulations of the Federal Ministry of Health (further referred to as Ministry of Health)."

Article 2.

Article 8 is amended to read:

"Article 8.

Each original individual package of any tobacco products on the market, except for tobacco for chewing or sucking, must be labelled with one of the general and specific warnings.

General warnings from paragraph 1 of this Article read: "SMOKING IS HARMFUL TO YOUR HEALTH", "SMOKING KILLS", "SMOKING SERIOUSLY HARMS YOU AND OTHERS AROUND YOU".

General warning from paragraph 2 of this Article must be labelled on the front of each original individual package of the tobacco products on the market, so it covers at least 35% of the front surface of the package. Some of the specific warnings from paragraph 1 of this Article are:

"Smoking causes lung cancer", "Smoking causes heart attack", "Smoking causes stroke", "Smoking during pregnancy harms the health of your child."

Specific warning from paragraph 4 of this Article must be labelled on the back side of each original individual package of the tobacco products on the market, so it covers at least 50% of

the outside surface of the package. The manufacturer or importer is required to properly change separate warnings from paragraph 4 of this Article, so that each of these warnings is indicated on equal amounts of tobacco products, in the current year.

Each original individual package of tobacco products for chewing or sucking on the market, must be labelled with warning: "Use of this product is harmful to your health and creates addiction."

Warning from paragraph 7 of this Article must be labelled on the most visible surface of each original individual package of tobacco products for chewing or sucking on the market and it must cover at least 35% of the outer surface of each package.

Requirements and methods of labelling tobacco products, and content and layout of general and specific warnings from paragraph 1 of this Article shall be regulated by the Ministry of Health Regulations."

### Article 3.

Article 14. is amended to read:

### "Article 14.

A fine from 10,000.00 KM to 15,000.00 KM will be imposed for an offense on the company or other legal entity engaged in manufacture, import, and sale of tobacco products, if:

1. contrary to the law, the company fails to outline data from Article 7 and warning from Article 8 of this Law on the original individual package of tobacco products on the market; or sells tobacco products contrary to Article 12, paragraph 2 of this Law;

2. contrary to the Articles 9, 10, and 11 of this Law the company advertises tobacco products. For the offense referred to in paragraph 1 of this Article a fine of 500.00 KM to 3,000.00 KM will be imposed on the responsible person in the legal entity.

For the offense referred to in paragraph 1 of this Article a fine of 500.00 KM to 1,500.00 KM will be imposed on any person registered with the competent authority to independently conduct business and other legally prescribed activities.

In addition to the monetary penalty, the following protective measures may be imposed on the violator from paragraph 1 of this Article:

– confiscations of items that were used or intended to be used to commit an offense or have incurred as a result of offense, whether they are the property of the defendant or if they are not the property of the defendant, but it is in the interest of preserving life and health of others - prohibition on performing activity for up to six months, with the goal of preventing future offenses. "

### Article 4.

Article 16. is amended to read:

### "Article 16.

Unofficial Translation

A fine from 2,000.00 KM to 10,000.00 KM will be imposed for an offense on the company or other legal entity if it sells tobacco products contrary to Article 12, paragraph 1 of this Law. For the offense referred to in paragraph 1 of this Article a fine of 250.00 KM to 1,000 KM will be imposed on a responsible person in the legal entity.

For the offense referred to in paragraph 1 of this Article a fine of 500.00 KM to 1,500 KM will be imposed on any person registered with the competent authority to independently conduct business and other legally prescribed activities.

In addition to the monetary penalty, the following protective measures may be imposed on violator from paragraph 1 of this Article:

– confiscations of items that were used or intended to be used to commit an offense or have incurred as a result of offense, whether they are the property of the defendant or if they are not the property of the defendant, but it is in the interest of preserving life and health of others - prohibition on performing activity for up to six months, with the goal of preventing future offenses. "

Article 5.

Article 18 is deleted.

Article 6.

After the Article 20. a new Article 20a. is being added, as follows:

"Article 20a.

Provisions from Articles 1 and 2 of this Law shall be determined by the Ministry of Health within three months from the date of enactment of this law.

Manufacturers and importers of tobacco products shall adjust the labeling of the original individual packages of tobacco products in the manner prescribed by Articles 7 and 8 of this Law within six months from the date of enactment of this Law and Regulations adopted pursuant to this Law."

Article 7.

This law will be effective eight days after the date of publication in the Official Gazette of the Federation of BiH.

Chairwoman  
House of Peoples  
Parliament of the Federation of BiH

Karolina Pavlović

Unofficial Translation

Chairman  
House of Representatives  
Parliament of the Federation of BiH

Dr. Denis Zvizdić