

Tobacco Business Act

Art 39

1. JT and Designated Sales Enterprises shall display on subject tobacco products, in places designated by an Order of the Minister of Finance, a writing as designated by an Order of the Minister of Finance for the purpose of urging consumers' caution with regard to the connection between the consumption of tobacco products and health; [which display shall be made] when producing tobacco products to be offered for sale pursuant to Order of the Minister of Finance, or in the case of imports, before the applicable tobacco products are sold; provided however that this rule shall not apply in the case of on the spot sales of imported tobacco products at [industrial] fairs and exhibitions or as otherwise provided by Order of the Minister of Finance.

2. Wholesale and Retail Sales Enterprises shall not sell tobacco products where the writing displayed on tobacco products as designated by the foregoing provision has been removed or altered.

Art 40

1. Persons carrying out advertising relating to tobacco products shall give consideration to the prohibition of smoking by minors and to the connection between the consumption of tobacco products and health, while making efforts that their advertising not be excessive.

2. If the Minister of Finance deems it necessary to provide detail to the purported aim of the foregoing provision, [s]he may, after hearing the opinion of an advisory panel established by government order, issue guidelines for the carrying out of advertising to persons carrying out advertising relating to tobacco products.

3. The Minister of Finance may issue directives as may be necessary to persons carrying out advertising relating to tobacco products in disregard of the guidelines described in the foregoing provision.

4. In cases where directives have been issued pursuant to the foregoing provision, and where such directives are disregarded without just cause the Minister of Finance may publicize the matter.”