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14 October 1999;  
12 December 2002;  
30 October 2003;  
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24 February 2005;  
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12 June 2009;  
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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*<sup>1</sup> has adopted and  
the President has proclaimed the following Law:

## **On Restrictions Regarding Sale, Advertising and Use of Tobacco Products** *[14 October 1999]*

### **Section 1. Terms Used in this Law**

The terms used in this Law are as follows:

- 1) **tobacco** – a plant of the nightshade family, which contains nicotine;
- 2) **nicotine** – an alkaloid contained in tobacco and tobacco products, a powerful poison endangering the nervous system, which causes addiction and dependency upon it;
- 3) **smoking** – a process, during which time deliberate igniting and use of a tobacco product or herbal smoking product takes place in such a way that they may be breathed in (inhaled), and which results in smoke being produced;
- 4) [14 October 1999];
- 5) **tobacco tar** – the raw anhydrous nicotine-free condensate of smoke;
- 6) **tobacco products** – within the meaning of this Law: products which are totally or partially manufactured from genetically modified or unmodified tobacco (for example, cigarettes, cigarillos, cigars, pipe and other smoking tobacco, snuff, chewing, sucking or rolled tobacco) and which are intended for use for smoking, sniffing, chewing or sucking;
- 7) **tobacco products advertisement** – information disseminated in any form, including commercial notices (for example, printed matter, posters, adhesive labels, advertising images on walls, radio and television broadcasts, clips, cinema films and videos), the purpose of which is the direct or indirect promotion of the purchase and consumption of tobacco products;
- 8) **packaging unit** – the smallest package of tobacco products or herbal smoking products offered to the consumer (for example, a pack, a box, a case, a bag), upon opening which a tobacco product or a herbal smoking product may be accessed;
- 9) **specially designated smoking premises** – separate premises intended for smoking which are marked as a structurally isolated premises on the technical inventory plan of the building and equipped with suction ventilation to prevent the flow of tobacco smoke into other premises. Such premises shall have a relevant informative notice or symbol. Basic

<sup>1</sup> The Parliament of the Republic of Latvia

services of institutions, merchants, any other legal person or self-employed person shall not be provided therein;

10) **tobacco products for oral use** – within the meaning of this Law: tobacco products which are intended for oral use and are totally or partially made of tobacco in solid shape (form), or in the shape or form of particles, or in any combination of such, and are offered in the packaging of bags (dry, scented or porous bags) or in packing similar to that used for food products, with the exception of such tobacco products which are to be used for smoking or chewing;

11) **ingredient** – any substance or material (also in a modified way), which is utilised in the manufacture or preparation of tobacco products or herbal smoking products and which is included in the finished products (including paper, filter, paints and adhesives), except for tobacco leaf and other natural or unprocessed tobacco plant parts;

12) **specially designated smoking area** – a territory outside of buildings in the open air, premises or a part of premises with a notice with a relevant informative phrase or symbol and equipped in conformity with the requirements of fire safety regulations, which is equipped with air conditioning systems, or a part of premises of a summer (outside) café;

13) **public building or structure** – a building or structure, in which more than 50 per cent of the total area is taken up by public premises;

14) **public premises** – publicly accessible non-residential premises, in which visitors (for example, viewing public, patients, clients, buyers, passengers) can stay for a short period to receive various services;

15) **premises which are separated for smoking** – separate premises which are marked as structurally isolated premises on the technical inventory plan of the building and are intended for the receipt of basic services and smoking and are equipped with suction ventilation. Such premises take up not more than 50 per cent of the total public premises area and are located as far as possible from the entrance thereto. In the premises there shall be a relevant informative notice or symbol;

16) **public events** – publicly accessible various types of open events (for example, social gatherings, shows, concerts, sporting events, exhibitions);

17) **public territory** – footpaths, tunnels, concourse, pedestrian subways, traffic ways, as well as parks, squares, bathing places and other recreation areas in the open air specially organised for the needs of the public;

18) **sponsoring** – any kind of collective or personal support for an event, activity or an individual with the purpose of directly or indirectly promoting the purchase and consumption of tobacco products; and

19) **herbal smoking products** – plants or plant ingredients (for example, industrially produced herbal cigarettes, industrially produced mixtures of plants for rolling up), which are intended for smoking and do not contain tobacco.

*[14 October 1999; 30 October 2003; 24 February 2005; 22 June 2005; 3 April 2008; 4 March 2010]*

## **Section 2. Purpose of this Law**

The purpose of this Law is to protect human health and the right to pure environment, free of smoke from tobacco and herbal smoking products, to specify the design of packaging units of tobacco products and herbal smoking products, restrictions on the distribution of tobacco products and herbal smoking products, as well as the procedures by which the State shall control trade in tobacco, tobacco products and herbal smoking products, the advertising and sponsoring of tobacco products and smoking in public buildings, structures, premises and territories.

*[14 October 1999; 30 October 2003; 24 February 2005; 22 June 2005; 4 March 2010]*

### **Section 3. Rights of Employees to a Clean Workspace, Unpolluted by Tobacco Smoke and Smoke of Herbal Smoking Products**

*[4 March 2010]*

(1) An employee who does not smoke has the right to refuse to work in a workspace where other employees smoke. Such a refusal may not be regarded as violation of employment discipline or civil service regulations.

(2) An employer has a duty to provide an employee – non-smoker – with a workspace unpolluted by tobacco and herbal smoking product smoke.

*[4 March 2010]*

### **Section 4. Restrictions on the Growing of Tobacco**

(1) In Latvia, it is prohibited to grow tobacco for industrial purposes without a special permit (licence) issued by the Ministry of Agriculture.

(2) Natural persons are only allowed to grow tobacco for personal needs.

### **Section 5. Restrictions on the Manufacture, Sale and Release for Free Circulation of Tobacco Products and Herbal Smoking Products**

*[4 March 2010]*

(1) It is prohibited:

1) to sell snuff and chewing tobacco;

2) to manufacture, sell and release for free circulation (hereinafter – to import) cigarettes in which the nicotine yield exceeds 1 mg per cigarette (this amount shall be specified in conformity with the requirements of the standard LVS ISO 10315:2003 “Cigarettes – Determination of Nicotine in Smoke Condensates – Gas-chromatographic Method” in relation to nicotine);

3) to manufacture, sell and import cigarettes in which the tobacco tar yield exceeds 10 milligrams per cigarette (this amount shall be specified in conformity with the requirements of LVS ISO standard 4387:2003 “Cigarettes – Determination of Total and Nicotine-free Dry Particulate Matter before and after Dehydration and Denicotinisation Using a Routine Analytical Smoking Machine” in relation to tar);

4) to manufacture, sell and import cigarettes in which the carbon monoxide yield exceeds 10 milligrams per cigarette (this amount shall be specified in conformity with the requirements of the standard LVS ISO 8454:2003 Cigarettes – Determination of Carbon Monoxide in the Vapour Phase of Cigarette Smoke – NDIR Method” in relation to carbon monoxide);

5) to sell cigarettes if for the relevant batch of cigarettes the competent laboratories referred to in Section 5.<sup>1</sup>, Paragraph two of this Law or included in the European Commission list of European Union Member State competent laboratories have not issued a test report;

6) to sell tobacco products the design of the packaging of which does not comply with the provisions of Section 6 of this Law;

7) to sell tobacco products for oral use; and

8) to sell plant mixture products, smoking, snuffing, chewing or inhalation of which results in such substances being released or absorbed, which cause mental disorders to the user similar to psychoactive substances, and the use of which may lead to addiction.

(2) *[3 April 2008]*

*[14 October 1999; 30 October 2003; 3 April 2008; 4 March 2010]*

## Section 5.<sup>1</sup> Measurement Methods

(1) The accuracy of the nicotine, tobacco tar and carbon monoxide amounts indicated on cigarette packs shall be approved in accordance with the standard LVS ISO 8243:2007 “Cigarettes – Sampling”.

(2) If there is no test report issued by a testing laboratory for the relevant batch of cigarettes, the merchants selling such cigarettes, as well as the merchants importing tobacco products from the states other than the European Union member states shall, at their own expense, test the compliance of the amount of nicotine, tobacco tar and carbon monoxide in the cigarettes with the amount specified in Section 5, Clauses 2, 3 and 4 of this Law. The testing laboratories accredited by the limited liability company “Standardisation, Accreditation and Metrology Centre” according to standard LVS EN ISO/IEC 17025:2005 “General Requirements for the Competence of Testing and Calibration Laboratories”, and regarding which the Ministry of Economics has published a notice in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia], or laboratories notified by other European Union Member States in the field of tobacco products shall be entitled to carry out the referred to test.

(3) The Ministry of Economics shall send to the European Commission a list of testing laboratories, indicating the criteria used for approval and the methods of monitoring applied, as well as notify the European Commission regarding the changes made to the list.

[30 October 2003; 3 April 2008; 14 November 2008; 12 June 2009; 4 March 2010]

## Section 6. Design of the Packaging of Tobacco Products

[14 October 1999]

(1) On the packaging of tobacco products to be sold in Latvia it is prohibited to:

- 1) represent specific natural persons;
- 2) represent the symbols of the State of Latvia; and
- 3) use animation images.

(2) Each packaging unit of tobacco products to be sold in Latvia shall display at least one of the following general warnings in the official language:

- 1) “Smēķēšana nogalina” [Smoking kills]; or
- 2) “Smēķēšana nopietni apdraud Jūs un cilvēkus Jums blakus” [Smoking seriously harms you and others around you].

(3) Each packaging unit of tobacco products to be sold in Latvia shall display at least one of the following special warnings in the official language:

- 1) “Smēķētāji mirst jauni” [Smokers die younger];
- 2) “Smēķēšana izraisa artēriju nosprostošanos un rada sirdslēkmes un insultu” [Smoking clogs the arteries and causes heart attacks and strokes];
- 3) “Smēķēšana izraisa neārstējamu plaušu vēzi” [Smoking causes fatal lung cancer];
- 4) “Smēķēšana grūtniecības laikā kaitē Jūsu bērnam” [Smoking when pregnant harms your baby];
- 5) “Sargiet bērnus: nelieciet viņiem elpot tabakas dūmus!” [Protect children: don’t make them breathe your smoke];
- 6) “Atmest smēķēšanu Jums var palīdzēt Jūsu ģimenes ārsts un farmaceits” [Your doctor and your pharmacist can help you stop smoking];
- 7) “Smēķēšana izraisa stipru atkarību, nesāc!” [Smoking is highly addictive, don’t start!];
- 8) “Smēķēšanas atmešana samazina risku saslimt ar neārstējamām sirds un plaušu slimībām” [Stopping smoking reduces the risk of fatal heart and lung diseases];
- 9) “Smēķēšana var izraisīt lēnu un mokošu nāvi” [Smoking can cause a slow and painful death];

10) “Lūdz palīdzību, lai atvestu smēķēšanu! (tāl.67037333)” [Get help to stop smoking! (tel. 67037333)];

11) “Smēķēšana var pasliktināt asinsriti un izraisīt impotenci” [Smoking may reduce the blood flow and causes impotence];

12) “Smēķēšana paātrina ādas novecošanos” [Smoking causes ageing of the skin];

13) “Smēķēšana var kaitēt spermatozoīdiem un samazināt auglību” [Smoking can damage the sperm and decreases fertility]; and

14) “Tabakas dūmi satur benzolu, nitrozamīnus, formaldehīdu un zilskābi” [Smoke contains benzene, nitrosamines, formaldehyde and hydrogen cyanide].

(4) Along with the special warning, the packaging units of tobacco products shall be supplemented with the relevant coloured photos or other illustrations (combined warning) in accordance with the procedures specified by the Cabinet.

(5) The general warnings on the packaging unit of the relevant tobacco products shall be regularly changed. The warning shall be printed on the most visible (largest) surface of the tobacco packaging unit, as well as on any outside packaging, except for additional transparent wrappers used in the retail trade of tobacco products.

(6) The special warnings on the packaging unit of the relevant tobacco products referred to in Paragraph three of this Section shall be regularly changed. The warning shall be printed on the second most visible (largest) surface of the tobacco packaging unit, as well as on any outside packaging, except for additional transparent wrappers used in the retail trade of tobacco products.

(7) The special warnings which are placed on the second largest surface of the tobacco packaging unit shall be changed so that, within one year, the various warning variations shall appear with equal frequency within a tolerance of five per cent.

(8) Each packaging unit of cigarettes to be sold in Latvia shall display:

1) an indication in the official language of the amount of nicotine, tobacco tar and carbon monoxide yields in milligrams in one cigarette. This indication shall be placed on one side surface of a packaging unit of cigarettes and shall cover at least 10 per cent of the relevant surface, and

2) an attached excise tax stamp. If there is closed transparent wrapping, the tax stamp shall be attached under the wrapping.

(9) Both before the general and the special warning there shall be an indication “Veselības ministrija brīdina” [the Ministry of Health warns].

(10) The general warning (except of the indication: “Veselības ministrija brīdina” [the Ministry of Health warns]) shall cover at least 30 per cent of the outside surface of the relevant tobacco product packaging unit.

(11) The special warning (except of the indication: “Veselības ministrija brīdina” [the Ministry of Health warns]) shall cover at least 40 per cent of the outside surface of the relevant tobacco product packaging unit.

(12) On the most visible (largest) surfaces of other tobacco product packaging units (which are not cigarettes) and which are larger than 75 square centimetres, the general and special warnings shall cover an area of at least 22.5 square centimetres on each surface.

(13) The text of the general and special warnings and the indications of nicotine, tobacco tar and carbon monoxide yields in conformity with Clause 1, Paragraph eight of this Section shall be:

1) clear and legible;

2) placed so that, when the packaging unit is opened, they may not be damaged or removed. The warnings may not be printed or affixed to the transparent wrapping and the excise tax stamps, they may not be erasable, as well as they may not be hidden or covered by other written information or pictorial matter. The warning texts for tobacco products (which are not cigarettes) may be printed on stickers if such stickers are non-removable;

3) printed in black *Helvetica* bold type on a white background, moreover, the size shall be such that the phrase occupies the largest technically possible part of the area which is provided for the relevant text;

4) in lower-case type, except for the first letter of the message and in cases where the laws of grammar specify otherwise;

5) centred in the area parallel to the top edge of the packet, except in cases where the side edge is narrower than 16 millimetres (in this case the indication regarding nicotine, tobacco tar and carbon monoxide yields shall be printed perpendicular to the top edge of the packet); and

6) surrounded with a black border, which is not less than 3 millimetres and not more than 4 millimetres in width and does not touch the warning text or the indicated information. The border shall not be considered as part of the area provided for the warning.

(14) In order to ensure tobacco product identification and traceability, the tobacco products shall be marked with a batch number or equivalent marking on each packaging unit, so that the place and time of manufacture may be determined.

(15) It is prohibited to place on the packaging of the tobacco product texts, names, trade marks or other signs indicating that a particular tobacco product is less harmful than other tobacco products (this requirement shall not apply to tobacco products which are exported to states that are not Member States of the European Union).

[14 October 1999; 30 October 2003; 3 April 2008; 4 March 2010]

## **Section 6.<sup>1</sup> Design of the Packaging of Herbal Smoking Products**

(1) On the packaging of herbal smoking products to be sold in Latvia it is prohibited to:

- 1) represent specific natural persons;
- 2) represent the symbols of the State of Latvia; and
- 3) use animation images.

(2) Each packaging unit of herbal smoking products to be sold in Latvia shall display the following:

- 1) an indication in the official language of the tar and carbon monoxide yields in milligrams per cigarette; and
- 2) an attached excise duty stamp.

(3) It is prohibited to place on the packaging of herbal smoking products texts, names, trade marks or other signs indicating that the particular product is less harmful than tobacco products.

[4 March 2010]

## **Section 7. Procedures for Trade in Tobacco Products and Herbal Smoking Products**

[14 October 1999; 4 March 2010]

(1) The Cabinet shall determine the procedures for trade in tobacco products and herbal smoking products.

(2) It is prohibited to sell tobacco products:

- 1) in departments of shops where goods for children and adolescents are traded;
- 2) in institutions for children, schools and other educational institutions;
- 3) in medical treatment institutions;
- 4) in cultural and sports institutions;
- 5) utilising vending machines; and

6) in territories, which have been granted, according to specified procedures, the status of markets.

(3) It is prohibited to sell tobacco products and herbal smoking products to persons who are under 18 years of age. A relevant sign shall indicate to this in locations trading in tobacco

products and herbal smoking products. In case of doubt, upon the request of a trade employee or a police officer, a buyer shall verify his or her age by presenting a personal identification document.

(4) It is prohibited to involve persons who are under 18 years of age in the sale of tobacco products and herbal smoking products.

(5) Tobacco products and herbal smoking products, with the exception of cigars and cigarillos, may only be sold in closed packaging units.

(6) Locations for trading in tobacco products shall have a visible notice warning that the use of tobacco products seriously damages human health.

*[14 October 1999; 22 January 2004; 4 March 2010]*

## **Section 7.<sup>1</sup> Additional Information Regarding Tobacco Products**

(1) Manufacturers and merchants of tobacco products importing tobacco products to be sold in Latvia shall, each year by 31 December, submit to the Health Inspectorate of Latvia a list of all ingredients which are used in the manufacture of the relevant tobacco product, as well as indicate the amount of ingredients in each product in conformity with the trade mark and type. The ingredients included in the list shall be mentioned in the descending order by weight. The list shall specify the functions and category of the ingredients, as well as a declaration shall be appended in which the reasons for the inclusion of such ingredients in the relevant tobacco products shall be set out. Manufacturers and merchants of tobacco products importing tobacco products to be sold in Latvia shall submit the toxicological study data available and performed regarding these ingredients (which may be in burnt or unburnt form), indicating their effect on health and capability of causing addiction.

(2) The Health Inspectorate of Latvia shall ensure access for consumers to the information regarding the tobacco tar, nicotine, and carbon monoxide yields in cigarettes.

(3) The Health Inspectorate of Latvia shall ensure protection of such information which relates to specific product formula and is a commercial secret.

*[30 October 2003; 27 September 2007; 3 April 2008]*

## **Section 8. Tobacco Product Advertising**

(1) Tobacco product advertising is allowed only in special publications intended for merchants who deal with the trade of tobacco products, as well as in the publications issued and printed in the countries other than European Union Member States and are not intended for the European Union market.

(2) Tobacco product advertising shall include the information regarding the health hazard caused by the use of tobacco products, and such information shall cover at least five per cent of the surface area of an advertisement.

*[14 October 1999; 3 April 2008]*

## **Section 9. Restrictions on Tobacco Product Advertising and Sponsoring**

(1) *[3 April 2008]*.

(2) It is prohibited to:

1) manufacture and trade sweets and snacks, as well as toys and other articles in the form of tobacco products, which may attract the attention of minors;

2) depict in tobacco product advertising and any other advertising persons smoking;

3) *[3 April 2008]*; and

4) in tobacco product advertisements, utilise misleading, misinforming, false means or other methods, which may create an erroneous representation regarding the characteristics of

tobacco, the effect on health thereof, the risks associated with the use of tobacco products or the substances which separate when using tobacco products.

(3) Merchants the basic activity of which is the manufacture of or trade in tobacco products are prohibited to sponsor events or activities in which several Member States of the European Union are involved or which take place in several Member States of the European Union, or which have a cross-border impact.

(4) [3 April 2008]

[14 October 1999; 30 October 2003; 22 June 2005; 3 April 2008]

## **Section 10. Prohibition to Smoke in Correctional, Educational and Medical Treatment Institutions**

[24 February 2005]

## **Section 11. Restrictions on Smoking**

(1) It is prohibited to smoke:

1) in educational and correctional institutions;

2) in medical treatment institutions, social care and rehabilitation establishments, places of imprisonment, except for premises, which are specially designated for smoking. The internal procedure regulations of the relevant institutions and establishments may provide for the possibility of the patients of the institutions or the inmates of the establishments to smoke also outside of the premises, which are specially designated for smoking, taking into account the physical and mental condition of such patients or inmates;

3) closer than 10 metres from the entrance of buildings or structures (also on the outside steps and landings), where State or local government institutions and capital companies in which more than 50 per cent of the capital shares (stock) is owned by the State or local governments are located. In such places there shall be displayed informative notices or symbols regarding the prohibition to smoke;

4) in the shelters of public transport stops and on platforms;

5) in the stairwells, hallways and other shared-use facilities of multi-apartment residential buildings;

6) in places of work in work-spaces and areas of common use, with the exception of specially designated smoking premises;

7) in public buildings, structures and premises (cinemas, concert and sports halls, other sports buildings and structures, post offices and other institution halls, discotheques and dance halls, etc.). This prohibition does not apply to existing apartments in public buildings;

8) in public means of transport and taxis, with the exception of long-distance trains and ships, where there may be separate railway carriages or cabins designated for smoking;

9) during sports and other public events in stadiums and other enclosed territories, with the exception of specially designated smoking areas;

10) in children's recreation areas and playgrounds;

11) in parks, squares and at bathing areas, except for specially designated smoking areas; and

12) in cafes, restaurants and other public catering locations, except in summer (open air) cafes only in specially designated smoking areas.

(2) In casinos and gaming halls it shall only be allowed to smoke in premises specially designated for smoking or in premises, which are separated for smoking.

(3) Hotels and other short-term residence dwellings may have specially designated bedrooms in which it is permitted to smoke.

(4) [3 April 2008].

(5) Prohibition to smoke shall be indicated by an informative sign in the official language, using the sign "smēķēt aizliegts" [smoking prohibited] (white letters on a red background),



but permission to smoke by a similar informative sign, using the sign “atļauts smēķēt” [smoking permitted] (white letters on a green background), or by symbols which are used in international smoking control practice.

(5) [24 February 2005]

(6) The Cabinet shall determine the procedures by which informative notices or symbols regarding prohibition of smoking or allowing smoking shall be placed, as well as samples of the notices and symbols.

(7) Areas specially designated for smoking may be situated in the public departure areas of international airports behind the security control points.

[14 October 1999; 24 February 2005; 3 April 2008; 4 March 2010]

## **Section 12. Prophylactic Measures**

(1) Information concerning trade in tobacco products shall be compiled and evaluated by the Central Statistical Bureau and other State authorities.

(2) The Ministry of Education and Science and the Ministry of Health have a duty to develop prophylactic programmes concerning the use of tobacco products for various population groups, introduce such into educational institutions and to promote the introduction of such into places of work.

(3) The Ministry of Health has a duty to ensure the opportunity to undergo treatment for dependency caused by nicotine for persons who wish to do so.

[14 October 1999; 30 October 2003; 4 March 2010]

## **Section 13. State Commission on Restriction of Smoking**

The Cabinet shall establish a State Commission on Restriction of Smoking and approve its by-laws, including in the Commission at least one representative from:

- 1) a health care professional organisation;
- 2) an organisation of employers;
- 3) an organisation of employees;
- 4) [4 March 2010];
- 5) the Ministry of Health;
- 6) the Ministry of Finance;
- 7) the Ministry of Economics;
- 8) the Ministry of Education and Science;
- 9) [12 June 2009];
- 10) the Ministry of Interior;
- 11) the Ministry of Environmental Protection and Regional Development;
- 12) the Latvian Anti-smoking Coalition; and
- 13) the Latvian Association of Local and Regional Governments.

[30 October 2003; 3 April 2008; 12 June 2009; 4 March 2010; 16 December 2010]

## **Section 14. Use of Funds Obtained from Tax Payments** [12 December 2002]

### **Section 14.<sup>1</sup> Supervision and Quality Control of the Tobacco Product Market**

(1) Control in relation to the existence of the test report referred to in Section 5, Clause 5 of this Law shall be performed by the State Revenue Service.

(2) In order to check the veracity of the information referred to in Section 5, Clauses 2, 3 and 4 of this Law, the State Revenue Service not less than once a year shall check the amount of nicotine, tobacco tar and carbon monoxide in each brand name of cigarettes. If cigarettes with one brand name have a different nicotine, tobacco tar or carbon monoxide yield or the

cigarettes are manufactured in various places of manufacture, the State Revenue Service has the right to request that a check be conducted in relation to each type of cigarette with one brand name.

(3) On the basis of a request by the State Revenue Service, samples of cigarettes shall be selected and tested by testing laboratories. The testing laboratories shall inform the State Revenue Service regarding the test results. The manufacturer or merchant which has imported tobacco products to be sold in Latvia shall cover the expenses associated with the selection and testing of samples of cigarettes.

(4) Merchants which import tobacco products from states which are not Member States of the European Union shall, prior to the sale thereof on the market, check the conformity of the labelling of the tobacco products with the requirements of this Law at testing laboratories.

*[30 October 2003; 3 April 2008]*

## **Section 14.<sup>2</sup> Control of Restrictions and Prohibition of Smoking**

The control of the restrictions and prohibition of smoking specified in this Law shall be performed by the State police and local government police.

*[24 February 2005]*

## **Section 15. Liability for Violations of this Law**

Persons shall be subject to liability for violations of this Law in accordance with the liability prescribed by law.

## **Section 16. Procedures for Resolution of Disputes**

Disputes, which have arisen in the course of the application of this Law, shall be examined according to the procedures specified in regulatory enactments.

*[30 October 2003]*

## **Transitional Provisions**

1. Up to 31 December 2003 it is permitted to sell cigarettes with a tobacco tar content above 12 milligrams, but not higher than 15 milligrams, if such are imported or manufactured up to 1 January 2003.

2. Up to 1 May 2004 it is permitted to manufacture, sell and import cigarettes with a tobacco tar content that does not exceed 12 milligrams (this amount is determined in conformity with LVS ISO standard 4387:2003), and cigarettes the amount of nicotine of which does not exceed 1.2 milligrams (this amount is determined in conformity with LVS ISO standard 10315:2003).

3. Up to 1 January 2007 it is permitted to manufacture cigarettes, the amount of ingredients of which exceed the norms allowed in Section 5, Clauses 2, 3 and 4 of this Law if they are intended for export to states which are not Member States of the European Union.

4. Tobacco products which are not cigarettes and which have been manufactured up to 1 May 2004 in conformity with the requirements specified in Section 6, Paragraphs three, five, six, nine, and eleven, Clause 2 of this Law are permitted to be sold up to 30 September 2004.

5. Section 5, Clause 5; Section 5.<sup>1</sup>, Paragraph three and Section 14.<sup>1</sup> of this Law shall come into force on 1 May 2004.

6. Up to 1 May 2004 it is prohibited to sell tobacco products for which mandatory quality conformity certificates have not been submitted according to the specified procedures.

7. Section 9, Paragraph two, Clause 4 of this Law shall come into force on 1 August 2005.

8. Legal persons which have received a special permit (licence) or statement of commercial activities with tobacco products up to 31 January 2004 may continue to sell tobacco products in territories, which have been granted the status of markets, until the end of the term of validity of the special permit (licence) or statement. Commencing from 1 February 2004, special permits (licence) or statements of commercial activities with tobacco products in territories, which have been granted the status of markets, shall not be issued or reregistered.

9. Up to 1 July 2006, in institutions of higher education, medical treatment institutions, social care and rehabilitation establishments, work places at work and common use premises, public buildings, structures and premises (cinemas, concert and sports halls, other sports buildings and structures, post offices and other institution halls, discotheques and dance halls, etc) it is permitted to smoke also in specially designated smoking areas.

10. Up to 1 July 2006, in cafes, restaurants and other public catering locations, casinos and gaming halls it is permitted to smoke also in specially designated smoking areas.

11. The new text of Section 11, Paragraph one, Clause 3 of this Law regarding the prohibition to smoke closer than 10 metres from the entrance of buildings or structures, where State or local government institutions and capital companies in which more than 50 per cent of the capital shares (stock) is owned by the State or local governments are located shall come into force on 1 January 2006.

12. Up to 31 August 2005, the Cabinet shall issue regulations regarding the procedures by which informative notices or symbols regarding prohibition of smoking or allowing smoking shall be placed, as well as determine the samples of the notices and symbols.

13. Section 9, Paragraph one, Clauses 7 and 8 of this Law, as well as Paragraph three, Clauses 1 (in relation to radio broadcasts and programmes) and 2 shall come into force on 31 July 2005.

14. Press and other printed publications in which are included tobacco product advertisements and which are issued and printed up to 31 July 2005 shall be permitted to be distributed also after 31 July 2005, but not longer than up to 31 December 2005.

15. Section 9, Paragraph one, Clause 2 (in relation to cinemas) shall come into force on 1 January 2006.

16. Section 6, paragraph four of this Law shall come into force on 1 September 2008. It is also allowed to sell tobacco products included in the special permit (licence) for wholesale trade or retail trade in the indicated locations of storage and sale, if the corresponding coloured photos or other illustrations (combined warning) have been glued onto the packaging unit until 1 June 2010.

*[18 February 2010]*

17. Amendments to Section 11, Paragraph one, Clauses 1 and 7 of this Law in relation to the prohibition to smoke in higher educational establishments and in public buildings, structures

and premises (cinemas, concert and sports halls, other sports buildings and structures, post offices and other institution halls, discotheques and dance halls, etc.) shall come into force on 1 July 2009.

18. Amendments to Section 8 of this Law and amendments in relation to exclusion of Section 9, Paragraph one, Paragraph two, Clause 3 and Paragraph four, as well as the amended version of Paragraph three of this Section shall come into force on 1 April 2009.

19. Amendments to Section 1, Clauses 9 and 15; Section 11, Paragraph one, Clause 12 and amendments to Section 11, paragraph two of this Law shall come into force on 1 April 2010.

20. Section 6.<sup>1</sup>, Paragraph two, Clause 1 of this Law shall come into force on 1 September 2010.

[4 March 2010]

### **Informative Reference to European Union Directives**

This Law includes legal norms arising from:

1) Directive 2001/37/EC of the European Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products; and

2) Directive 2003/33/EC of the European Parliament and of the Council of 26 May 2003 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products.

[22 June 2005]

This Law has been adopted by the *Saeima* on 18 December 1996.

President

G. Ulmanis

Rīga, 7 January 1997

### **Transitional Provisions Regarding Amendments to the Law On Restrictions regarding Sale, Advertising and Use of Tobacco Products**

#### **Transitional Provision**

(regarding amending law of 24 February 2005)

With the coming into force of this Law, Cabinet Regulation No. 709, Amendments to the Law On Restrictions regarding Sale, Advertising and Use of Tobacco Products (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2004, No. 18) issued in accordance with Article 81 of the Constitution of the Republic of Latvia is repealed.