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No. [IX-1840](#), 11/20/2003, Official Gazette, 2003, No. 117-5317 (2003-12-17)

REPUBLIC OF LITHUANIA LAW ON TOBACCO, TOBACCO PRODUCTS AND ASSOCIATED PRODUCTS

20 December 1995, No. I-1143
Vilnius

Name of the amended Law:

No. [XII-1529](#), 2014-12-23, published in the RLA on 1/6/2015, law code 2015-00098

**CHAPTER I
GENERAL PROVISIONS****Article 1. Purpose of the Law**

1. The Law herein shall regulate the relations associated with the manufacture, sale, storage, transportation, importation, importing, advertising, consumption, promotion and sponsorship of acquisition and/or consumption, as well as the relationships governing the presentation to the market and the labelling of tobacco, tobacco products and associated products, and shall also establish the framework for state control of tobacco, tobacco products and associated products in the Republic of Lithuania.

Amendments to paragraphs of the Article:

No. [XII-1916](#), 30/06/2015, published in the Register of Legal Acts (RLA) on 07/07/2015, law code 2015-11094

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

2. Given the fact that individual and public health constitute one of the most important values of society, the provisions of the Law hereby shall be aimed at reducing the consumption of tobacco products and associated products in the Republic of Lithuania, their accessibility (particularly to minors) and the harmful effects of the use of tobacco products and associated products on human health and the economy.

3. Tobacco products and products associated with them shall be deemed to be special products, the manufacture, sale, import, advertising and other related types of activities and consumption of which are subject to a special state legal regulation under the Law hereby and other laws and legal acts.

4. The provisions of this Law shall be in compliance with the EU legal acts listed in Annex 2.

Amendments to paragraphs of the Article:

No. [XII-1918](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11096

Amendments of the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

Article 2. Main Definitions of this Law:

1. **Car shop** shall mean a registered vehicle, equipped as a food and/or non-food sales outlet which serves the inhabitants of towns and villages in accordance to the procedure set out by the municipal council.

2. **Smokeless tobacco product** shall mean a tobacco product which is used unlit, including chewing tobacco, snuff and tobacco for oral use (snus).

3. **General warning** shall mean an inscription “Smoking kills - quit smoking immediately” on the packaging of tobacco products.

4. **Cigar or cigarillo** shall mean a tobacco product which is used lit:

- 1) A roll of ready-to-smoke tobacco, encased in an outer wrapper made of natural tobacco;
- 2) A roll of ready-to-smoke shredded tobacco mix, which is covered completely by a tobacco-colored wrapper made from reconstituted tobacco (the wrapping shall cover the filter, but not the mouthpiece, where present), and the unit weight (without the filter or mouthpiece) is at least 2.3 g, but does not exceed 10 g, and at least one third of the roll (lengthwise) is 34 millimeters in length.

5. **Cigarette** shall mean a tobacco product which is used lit:

- 1) A roll of ready-to-smoke tobacco, which is not classified as a cigar or a cigarillo within the meaning of paragraph 4 of the Law herein;
- 2) A roll of tobacco, which, in a non-industrial manner, is inserted into a cigarette paper tube made from cigarette paper;
- 3) A roll of tobacco, which is inserted into cigarette paper in a non-industrial manner.

6. **Tar** shall mean pure anhydrous nicotine-free condensate of smoke.

7. **Maximum allowable amount** shall mean the maximum allowable amount of a substance measured in milligrams, including zero, in a tobacco product or in the substances it releases.

8. **Electronic cigarette** shall mean a product used for steam which contains nicotine and is consumed through a mouthpiece or any such product component, including the cartridge, the container and the device without the cartridge or container. Electronic cigarettes may be for single or multiple use (refilled via refillable electronic cigarette cartridges or via disposable single-use capsules).

9. **Refillable cartridges of electronic cigarettes** shall mean vessels containing liquid used in filling electronic cigarettes.

10. **Member State of the European Economic Area Agreement** shall mean a Member State of the European Union or a country of the European Free Trade Association (EFTA), with the exception of the Swiss Confederation.

11. **Branch established by a legal entity or another organization in a Member State of the European Economic Area Agreement, with the exception of the Republic of Lithuania** shall mean a branch, a representation or another unit not in possession of such a legal form established by a legal entity or another organization in a Member State of the European Economic Area Agreement, with the exception of the Republic of Lithuania.

12. **Informational notice** shall mean a notice on the exterior of the packaging of smoking tobacco products, including single packets, saying "Tobacco smoke contains more than 70 substances that are known to cause cancer."

13. **Warning of possible damage to health** shall mean a warning about the damage to human health caused by the use of tobacco products or other adverse effects, including written warnings about potential health damage, combined warnings about potential harm to health, general warnings and informational messages, provided in accordance with the Law herein.

14. **Outer packet (packaging)** shall mean a packaging (with the exception of transparent wrapping material), in which tobacco products or products associated with tobacco products are supplied to the market and which includes a single packet or a block of single packets.

15. **Substances released** shall mean substances that are released by the use of tobacco, tobacco products or products related to tobacco products for their intended purpose.

16. **Combined warning about potential health damage** shall mean a warning about potential health damage, consisting of a written warning and a matching photo or illustration, as stipulated in the Law herein.

17. **Chewing tobacco** shall mean a smokeless tobacco product intended for chewing.

18. **Flavoring** shall mean an additive that gives off a odor and/or flavor.

19. **Innovative tobacco product** shall mean a tobacco product that does not belong to any of the following categories: cigarettes, rolls of tobacco, pipe tobacco, water pipe tobacco, cigars, cigarillos, chewing tobacco, snuff or tobacco for oral use, and which has been brought to the market after 19 May 2014.

20. **Raw (unprocessed) tobacco** shall mean whole or other type of raw leaf tobacco and other tobacco components, with the exception of those which under the Republic of Lithuania Law on Excise are considered to be processed tobacco.

21. **Nicotine** shall mean an alkaloid present in tobacco.

22. **Tobacco for oral use** shall mean tobacco products for oral use, except those intended to be inhaled or chewed, made wholly or partly of tobacco, and which are available in servings usually packaged into simple or porous packets as powder or as fine particles or any combination thereof.

23. **Hidden advertising of tobacco products and/or tobacco-related products** shall mean information about tobacco products or tobacco-related products disseminated in any form and by any means, i.e. about the manufacturers, importers or vendors of tobacco products and/or tobacco-related products, the name (title) of their company, the trade mark or activities, presented in a way that may mislead the consumers of advertising regarding the true nature of the presentation of such information. Such presentation of information shall, in all cases, be considered as hidden advertising, when it is paid for or is otherwise compensated for.

24. **Pavilion** shall mean a temporary structure that is not registered in the Real Estate Registry and possesses no foundations which are laid into the ground, manufactured at a factory or built from prefabricated parts, and which has a trading hall set up inside to serve customers.

25. **Pipe tobacco** shall mean tobacco, which is used lit and which is used exclusively for smoking a pipe stuffed with such tobacco.

26. **Odor or flavor added to a tobacco product** shall mean an odor or flavor not inherent to tobacco, which is clearly felt and which is given off by an additive or a combination thereof, including the additives or combinations thereof of fruit, spices, herbs, alcohol, caramel, menthol, vanilla, etc., and which can be felt prior to consumption and/or during the consumption of a tobacco product.

27. **Additive** shall mean a substance other than tobacco, which may be added to a tobacco product, a single packet or any outer packaging.

28. **Capability to induce addiction** shall mean a pharmacological capability of the substance to elicit addiction - a condition when the ability of an individual to control their behavior is affected by the satisfaction granted or by the easing of the symptoms of abstinence, or both.

29. **Sponsorship** shall mean financial or other support for an event, activity or individual that promotes the acquisition and/or the use of tobacco and tobacco-related products.

30. **Smoking herbal product** shall mean a plant, herb or fruit-based product containing no tobacco and which may be consumed lit.

31. **Smoking tobacco product** shall mean a tobacco product which is consumed lit.

32. **Social advertising** shall mean advertising that promotes social well-being, i.e. a healthy lifestyle, health improvement and the prevention of diseases and other habits which are harmful to health.

33. **Rolling tobacco** shall mean tobacco which the consumers or retail outlets use to make or manufacture cigarettes.

34. **Rolling tobacco pouch** (hereinafter - pouch) shall mean a flat-bottomed or non flat-bottomed contained (shaped like a rectangular envelope with a folding edge) which may be placed upright and is intended for rolling tobacco, made from flexible material (single packet), the bottom of which is tightly sealed to the sides.

35. **Tobacco-related product** (hereinafter - associated product) shall mean electronic cigarettes, refillable cartridges of electronic cigarettes, as well as smoking herbal products.

36. **Tobacco** shall mean the leaves and other natural treated or raw parts of the genus of the tobacco (*Nicotiana*) plant, including blown and reconstituted tobacco.

37. **Ingredient of a tobacco product and/or an associated product** shall mean tobacco, additives, as well as any material or element present in a ready-to-use tobacco product and/or an associated product, including paper, filter, ink, capsule and glue.

38. **Tobacco product** shall mean a product intended for consumption which is produced from tobacco only (both genetically modified and unmodified) or which contains tobacco.

39. **Warehouse of wholesale tobacco products** shall mean premises with a separate entrance partitioned from other premises by an engineering structure or a warehouse facility located in the Republic of Lithuania for storing goods subject to excise duties, which are registered in the Real Estate Register as warehouses and where wholesale trade of tobacco products takes place.

40. **Import of tobacco products and/or associated products** shall mean an introduction to the Republic of Lithuania of tobacco products and/or associated products from other countries, with the exception of the States party to the European Economic Area Agreement and Turkey, unless the goods are subject to suspensive customs procedures or measures at entry to the Republic of Lithuania, as well as suspensive customs procedures or a suspension of the applicability of certain measures.

41. **Importer of tobacco products and/or associated products** shall mean a legal entity established in the Republic of Lithuania and/or a branch of a foreign legal entity, which imports tobacco products and/or associated products into the Republic of Lithuania from other countries, with the exception of the States party to the European Economic Area Agreement and Turkey.

42. **Promotion of acquisition and/or use of tobacco products and/or associated products** shall mean information and persuasion activities, including special events, promotions, discounts, gifts, etc., promoting the decision to acquire and/or use tobacco products and/or associated products.

43. **Importation of tobacco products and/or associated products** shall mean importing tobacco products and/or associated products into the Republic of Lithuania (except for the tobacco products and/or associated products imported by natural persons) from the States party to the European Economic Area Agreement and Turkey.

44. **Place of retail of tobacco products and/or associated products** (hereinafter - place of retail) shall mean premises of stores, stands, pavilions, restaurants, cafés, bars, buffets or other outlets and car shops, where tobacco and/or associated products are sold to consumers (where the customers are served outdoors, the location of the sale of tobacco products and/or associated products shall be deemed to be the location where the cash register is installed).

45. **Trading place of tobacco products and/or associated products** (hereinafter - trading place) shall mean a place of retail of tobacco products and/or associated products, as well as the premises where tobacco products and/or associated products are sold on a wholesale basis.

46. **Advertising of tobacco products and/or associated products** shall mean dissemination of information in any form and by any means about tobacco products and/or associated products, which, directly or indirectly, promotes the acquisition and/or consumption of tobacco products and/or associated products.

47. **Control of tobacco products and/or associated products** (hereinafter - tobacco control) shall mean the entirety of the state regulation measures imposed in the Law herein and set out in other legislation governing tobacco control intended to reduce the use of tobacco products and/or associated products and their consumption, manufacturing, importation, import, sale, marketing, promotion of acquisition and/or consumption and sponsorship of tobacco products and/or associated products, as well as to reduce their adverse effects on health and the economy.

48. **Cross-border distance selling** shall mean remote sales to customers, where the customer, ordering the product at a retail location, is based in the Republic of Lithuania, and where the retail outlet is established in another State party to the European Economic Area Agreement or in another country; the retail outlet shall be considered to be established in a State party to the European Economic Area Agreement, when:

1) The salesperson is a natural person and where they have their place of business in a State party to the European Economic Area Agreement;

2) In other cases - where the person who is engaged in retail trade has its official headquarters, central administration or place of business, including a branch, agency or any other subdivision in the State party to the European Economic Area Agreement.

49. **Supply to the market** shall mean a supply of products, regardless of their place of manufacturing, to the consumers in the Republic of Lithuania for a fee or free of charge, including distance selling. In cases of cross-border distance selling, the product shall be considered to be supplied to the market of the Republic of Lithuania, if the user is located in the Republic of Lithuania.

50. **Toxicity** shall mean the property of a substance causing harmful effects on the human body immediately or in the long term on a certain level, usually when the substance is used or when its effects are experienced often or regularly.

51. **Snuff** shall mean a smokeless tobacco product which is consumed through the nose.

52. **Foreign legal entity** shall mean a legal person or another organization established in a State party to the European Economic Area Agreement (with the exception of the Republic of Lithuania) or in another state.

53. **Water pipe tobacco** shall mean a tobacco product that can be consumed when using a water pipe. Under the Law herein water pipe tobacco shall be considered to be a smoking tobacco product. Where the tobacco can be used in both water pipes and in tobacco rolls, it shall be considered to be rolling tobacco.

54. **Single packet** shall mean the smallest individual packaging of a tobacco product or an associated product supplied to the market.

55. Other terms used in the Law hereby shall be understood in the same way they are defined in the Republic of Lithuania Law on Excise Duties, Republic of Lithuania Law on Product Safety, Republic of Lithuania Law on Education and the Republic of Lithuania Law on Consumer Protection.

Amendments to the Article:

No. [X-390](#), 11/15/2005, *Official Gazette*, 2003, No. 142-5105 (12/3/2005)

No. [X-699](#), 6/15/2006, *Official Gazette*, 2003, No. 73-2765 (6/30/2006)

No. [XI-2102](#), 6/21/2012, *Official Gazette*, 2003, No. 78-4024 (7/4/2012)

Amendments to the Article:

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No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

No. [XII-1918](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11096

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 3. Principles of State Policy on the Control of Tobacco and Associated Products

The following shall be the principles of state policy on the control of tobacco and associated products:

- 1) The protection of human rights to a smoke-free environment;
- 2) Reducing the accessibility of tobacco products and associated products, especially to minors, by taxes and other state regulatory measures;
- 3) Prohibiting the use of state and municipal budgets for cultivating tobacco, the manufacturing, sale, import and importation (entry) of tobacco-derived products;
- 4) Ensuring via state legal regulation measures that part of the state budget, received from the manufacturing, import and sale of tobacco and associated products is allocated for the development and implementation of health preservation and strengthening programs;
- 5) Prohibiting the advertising of tobacco and associated products;
- 6) Prohibiting the acquisition and/or promotion of consumption of tobacco products and associated products and limiting their sponsorship;
- 7) Raising public awareness about the harm to human health caused by using tobacco products and associated products, as well as social and economic damage to the state;
- 8) Encouraging smokers to quit smoking and providing them with assistance;
- 9) Carrying out inspection and monitoring of tobacco products and associated products;
- 10) Supporting social advertising and advocacy for anti-smoking through the media;
- 11) Seeking to create a working, recreational and living environment free from tobacco smoke.

Amendments to the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

CHAPTER II

REQUIREMENTS FOR THE QUALITY AND LABELLING OF TOBACCO AND ASSOCIATED PRODUCTS, THE PRESENTATION OF INFORMATION ON TOBACCO PRODUCTS AND ASSOCIATED PRODUCTS, AND INNOVATIVE TOBACCO PRODUCTS

Change to the title of the Changed the title of Chapter:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

SECTION ONE

REQUIREMENTS FOR THE CONTENTS, QUALITY AND LABELLING OF TOBACCO PRODUCTS

Article 4. General Requirements for the Contents and Quality of Tobacco Products

1. The composition and quality indicators for tobacco products that are manufactured and/or sold in the Republic of Lithuania shall comply with the requirements set out in the Law herein:

2. The largest permissible quantities of substances released by the cigarettes sold, manufactured, imported or exported from the Republic of Lithuania shall not exceed: tar: 10 milligrams, nicotine: 1 milligram, carbon monoxide: 10 milligrams in one cigarette.

3. The Ministry of Health of the Republic of Lithuania (hereinafter - Ministry of Health) shall have the right to carry out tests in order to determine the quantities of substances released by the cigarettes not referred to in paragraph 2 of the Article herein, and/or the quantities of substances released from tobacco products other than cigarettes, and to assess the effects of these substances on health, in particular where these materials have a decisive impact on dependence. These tests may be carried out by the laboratories referred to in Article 6(1) of the Law herein.

4. The Ministry of Health shall notify the European Commission of the largest permissible quantities of substances released from cigarettes not referred to in paragraph 2 of the Article herein and/or released from products other than tobacco products, where such largest permissible quantity of

substances released are identified, and shall inform it of the methods of measurement used to determine the largest permissible quantities of substances released from substances released from cigarettes and/or from substances released from tobacco products other than cigarettes.

5. An institution authorized by the Government of the Republic of Lithuania, in accordance with research-based evidence, shall have the right to prohibit the use of ingredients of tobacco products which have addiction-exacerbating effects.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 4¹. Regulation of Ingredients of Tobacco Products

1. The placing on the market of tobacco products with additive odors or flavors shall be prohibited in the Republic of Lithuania This prohibition shall not be applicable to additives, which are necessary for the manufacturing of the tobacco products, i.e. sugar, used to replace the sugar lost in the drying process, where these additives do not give the product an added odor or flavor and do not in a significant or measurable way increase the ability of the tobacco product to cause addiction or give it carcinogenic or mutagenic properties or properties that have a toxic impact on reproduction (hereinafter - CMR properties). The Government of the Republic of Lithuania or its authorized institution shall inform the European Commission of the measures taken under the paragraph herein.

2. The legislation of the European Union or the legislation implementing it adopted by the Government of the Republic of Lithuania or its authorized institution shall establish the procedures for determining whether a tobacco product is within the scope of paragraph 1 of the Article herein.

3. The Republic of Lithuania shall prohibit the placing on the market of tobacco products containing the following additives:

- 1) Vitamins or other additives, which give the impression that the tobacco product is beneficial or less harmful to health;
- 2) Caffeine or taurine, or other additives and stimulant compounds that are associated with energy and vitality;
- 3) Additives that color the substances released;
- 4) In the case of smoking tobacco products - additives that facilitate the inhalation or absorption of nicotine;
- 5) Additives that possess CRM properties when not burnt.

4. The placement on the market of tobacco products, which possess flavorings in any components, such as filters, paper, packets, capsules or any technical elements, allowing to change the odor or flavor of the corresponding tobacco product, their strength or the intensity of the smoke of the tobacco product shall be prohibited in the Republic of Lithuania. The filters, paper and capsules may not contain tobacco or nicotine.

5. Tobacco products shall be subject to the terms and conditions established by Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (hereinafter - Regulation (EC) No 1907/2006).

6. The Government of the Republic of Lithuania or its authorized institution, having scientific proof that a particular tobacco product contains such a quantity of additives that the ability of the tobacco product to cause addiction, its toxicity or CMR properties are increased substantially or measurably during its use, shall have the right to prohibit the placing on the market such a tobacco product in a manner prescribed by the Government of the Republic of Lithuania or its authorized institution. The Government of the Republic of Lithuania or its authorized institution shall inform the European Commission of the measures taken under the paragraph herein.

7. The prohibitions set out in paragraphs 1 and 4 of the Article herein shall be applicable to cigarettes and rolling tobacco.

8. Tobacco manufacturers and importers shall be eligible to apply to the institution authorized by the Government of the Republic of Lithuania for assessment of whether the tobacco product has a characteristic odor or flavor, whether any prohibited additives or flavorings were used in its manufacturing and whether the ingredients of a tobacco product contain such a quantity of additives, that it significantly and measurably increased the capability of the relevant tobacco product to cause

dependence, its toxicity or CMR properties in the manner and under the conditions prescribed by the Government of the Republic of Lithuania or its authorized institution.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 5. Documents Certifying Compliance of Tobacco Products

1. The compliance of tobacco products to the statutory requirements, including the requirements for the quantities of tar, nicotine and carbon monoxide in cigarettes, shall be certified by documents of compliance issued by the manufacturer of tobacco products on the basis of tests carried out at testing laboratories approved (accredited) by the competent authorities of the States party to the European Economic Area Agreement or Turkey.

2. The procedure and the requirements for submitting documents of compliance referred to in paragraph 1 of the Article herein shall be established by an institution authorized by the Government of the Republic of Lithuania.

Article 6. Laboratories and Methods of Measurement

1. The yields of tar, nicotine, carbon monoxide in cigarettes shall be established by the laboratories approved (accredited) by the competent authorities of the States party to the European Economic Area Agreement or Turkey, which are on the list of laboratories drawn up by the Joint Research Centre of the European Commission. The laboratories referred to in paragraph 1 of the Article herein shall be approved (accredited) and supervised by an institution authorized by the Government of the Republic of Lithuania. The laboratories operating in the Republic of Lithuania aiming to be certified (accredited), shall comply with the Lithuanian standards referred to in paragraph 3 of the Article herein.

2. The laboratories certified (accredited) in the Republic of Lithuania may not belong to the tobacco industry and/or be under its control.

3. The laboratories certified (accredited) in the Republic of Lithuania referred to in paragraph 1 of the Article herein shall measure the tar, nicotine and carbon monoxide yields of cigarettes on the basis of ISO standards adopted as Lithuanian standards (ISO 4387 for tar, ISO10315 for nicotine, ISO-8454 for carbon monoxide; the accuracy of the tar, nicotine and carbon monoxide indications on packets shall be verified in accordance with ISO standard 8243).

4. The Ministry of Health shall inform the European Commission of the laboratories certified (accredited) in the Republic of Lithuania and listed in paragraph 1 of the Article herein, giving the criteria (Lithuanian standards) for the certification (accreditation) of the laboratories certified (accredited) in the Republic of Lithuania and the methods of measurement established in paragraph 3 of the Article herein used by them that are referred to in the accreditation certificate of a laboratory certified (accredited) in the Republic of Lithuania.

5. Where the laboratories certified (accredited) in the Republic of Lithuania referred to in paragraph 1 of the Article herein detect any substances released from cigarettes, which are not listed in paragraph 3 of the Article herein and/or are released from tobacco products other than cigarettes and their yields, the Ministry of Health shall inform the European Commission of the standard, non-standard or developed methods of detection and measurement of such substances released, applied by the laboratory certified (accredited) in the Republic of Lithuania.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 7. Recognition of Tobacco Products as Not Complying with the Statutory Labelling, Composition and Quality Requirements

1. An institution authorized by the Government of the Republic of Lithuania shall supervise whether the labelling, composition and quality indicators of tobacco products comply with the statutory requirements.

2. Where the laboratories determine that the samples do not comply with the statutory requirements when measuring the samples of tobacco products accepted from authorized state institutions on a commission basis in accordance with the procedure laid down in the Law herein and other legal acts, it shall be deemed that the entire batch of tobacco products wherefrom such samples have been taken does not comply with the requirements stated.

Article 8. Labelling Requirements for Tobacco Products and Associated Products Intended for Sale in the Republic of Lithuania

1. Tobacco products and associated products sold in the Republic of Lithuania shall be labelled in accordance with the procedure laid down in legal acts.

2. The information appearing on packets and outer packaging of tobacco products and associated products shall not be misleading to the consumers.

Amendments to the Article:

No. [XII-1918](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11096

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 8¹. Warnings About Potential Harm to Health

1. When labelling tobacco products, the manufacturers of tobacco products shall, in addition to other statutory information, present the warnings about the potential damage to health referred to in the Law herein on each single packet and any outer packaging brought to the market in the official language of the Republic of Lithuania.

2. The warnings about the potential damage to health shall be spread across the entire surface of the area allocated to them on the single packets or their outer packaging and shall not be commented on, paraphrased or presented in any other form.

3. The warnings about the potential damage to health shall be printed using indelible and clearly visible print and visible in their entirety, they shall not be partially or wholly covered or interrupted by a tax bands, price labels, security elements, packets for wrapping, folders, boxes or by other means when placed on the market. The warnings about the potential health damage on single packets of tobacco products, with the exception of packets of cigarettes and pouches of rolling tobacco, may be presented on labels, provided such labels cannot be removed. The warnings about the potential health damage shall remain untouched when opening a single packet, except for packets with a flip-up top, where the warnings about the potential damage to health may be torn when opening the cover, but only in a manner that does not damage the graphic integrity and visibility of the text, photos and information regarding quitting smoking.

Amendments to paragraphs of the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

4. The warnings about possible health damage placed on single packets shall in no way cover or divide the tax bands, price labels, monitoring and tracing characters or security elements.

5. The sizes of the warnings about potential health damage provided for in Articles 8², 8³, 8⁴ and 8⁵ of the Law herein shall be calculated on the basis of the relevant area size of a closed packet.

6. Warnings about the potential damage to health, with the exception of warnings provided for in Article 8⁴ of the Law herein, shall be highlighted with a black 1 millimeter wide line drawn inside of the area intended for the text of the warning.

Supplemented by Article:

No. [XII-1917](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11095

Article 8². General Warnings and an Informational Notice Regarding Smoking Tobacco Products

1. Each single packet of smoking tobacco and any of its outer packaging shall contain a general warning: "Smoking kills - quit smoking immediately".

2. Each single packet of smoking tobacco and any of its outer packaging shall contain the following informational message: "Tobacco smoke contains more than 70 substances that are known to cause cancer".

3. The general warning shall be displayed on the bottom part of the side surface of the single packets of cigarettes and on the rectangular box-shaped single packets of rolling tobacco, and the informational message shall be displayed on the bottom part of the other side surface. One side of the above warnings shall be at least 20 millimeters in length.

4. In the case of box-shaped single packets of cigarettes and rolling tobacco with a flip-up top, the opening of a single packet of which splits the side surfaces into two, the entire general warning and the informational message shall be placed on the larger side of the two divided surfaces. The general warning shall also be placed on the inner part of the upper surface, which is visible when opening the

single packet. The sides of such a single packet with a flip-up top shall be at least 16 millimeters in height.

5. In the case of rolling tobacco sold in pouches, the general warning and the informational message shall be placed on the surfaces that ensure full visibility of these warnings. The general warning on cylinder-shaped single packets of rolling tobacco shall be placed on the surface of the outer cover and the informational message shall be placed on the inner surface of the cover.

6. Both the general warning and the informational message shall occupy 50 percent of the surface area of the surfaces on which they are printed.

7. The general warning and informational message referred to in paragraphs 1 and 2 of the Article herein shall be presented in the following manner:

- 1) Printed on a white background in a bold black *Helvetica* font;
- 2) Presented in the center of the designated surface area, and on rectangular box-shaped single packets and any of its outer packaging they shall be positioned parallel to the lateral edge of the single packet or its outer packaging.

8. The placement of the general warning and the informational message on the pouches of rolling tobacco shall conform to the requirements set out in the legislation of the European Union, determining the placement of the general warning and the informational message of the pouches, depending on their shape.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 8³. Compound Warnings about the Potential Harm to Health of Smoking Tobacco Products

1. Each single packet of smoking tobacco and any of its outer packaging shall contain compound warnings about the potential health damage. Compound warnings about potential harm to health shall:

1) Consist of the written warnings stipulated in Annex 1 of the Law herein, placed on corresponding color photographs, as provided for in the sets of visual warnings approved by the Government of the Republic of Lithuania or its authorized institution;

2) Include information on the quitting of smoking, inclusive of telephone numbers, e-mail addresses or websites where the users are provided with information on support programs for those who want to quit smoking;

3) Cover 65 percent of the external surface area of both the front and the rear surfaces of a single packet and any of its outer packaging. Two compound warnings about the potential damage to health shall be placed on cylinder-shaped packets at equal distance from one another, and each warning shall occupy 65 percent of the its curved side;

4) Display the same text warning and the same appropriate color photograph on both sides of the single packets and any of its outer packaging;

5) Be displayed on the upper panel of a single packet and any of its outer packaging and written in the same direction as any other information provided on the same surface of the packaging. Where in the three-year transitional period, which ends on 20 May 2019, trademarks or logos are not displayed above the warnings of potential health damage, an exemption shall apply for obligations associated with the placement (location) of the compound health warnings about potential health damage:

a) In cases when the tax band is glued to the top side of the single cardboard packet, the compound warning about possible health damage, which should be placed on the rear surface, may be placed directly under the tax band;

b) Where the single pack is made from a soft material, a rectangular area of no more than 13 millimeters may be left for the tax band between the upper side of the packet and the upper side of the compound warning of potential damage to the health;

6) Comply with the technical specifications and requirements for the positioning, design and form, depending on the form of the single packet, of the compound warnings of potential damage to the health, set out in the legislation of the European Union;

7) Be at least 44 millimeters high and 52 millimeters wide in cases where they are placed on single packets of cigarettes.

2. Each of the sets of visual warnings approved by the Government of the Republic of Lithuania or its authorized institution shall be rotated each year by using the next set of warnings. The

first set shall be used in 2016, the second set in 2017, the third in 2018 and the first set in 2019, etc. The manufacturers of tobacco products shall make a maximum effort to ensure that every visual warning in the set is used an approximately equal number of times on each branded tobacco product in each subsequent year.

3. The contents of the information referred to in in Item 2 of paragraph 1 of the Article herein, associated with the quitting of smoking and the procedure, shall be established by the Government of the Republic of Lithuania or its authorized institution.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 8⁴. Labelling of Smoking Tobacco Products Other than Cigarettes, Rolling Tobacco and Water Pipe Tobacco

1. Other smoking tobacco products, with the exception of cigarettes, rolling tobacco and water pipe tobacco, shall not be subject to the obligation to provide an informational message stipulated in Article 8²(2) of the Law herein and the compound warnings about the potential health damage stipulated in Article 8³ of the Law herein. Every single packet of the above-mentioned products and any of their outer packaging, along with the general warning referred to in Article 8²(1) of the Law herein shall contain one of the written warnings referred to in Annex 1 of the Law herein. The information associated with the quitting of smoking referred to in Article 8³ (3) shall be displayed in the general warning referred to in Article 8² (1) of the Law herein.

2. The general warning shall be placed on the most visible surface of the single packets and any of its outer packaging. The manufacturers of the tobacco products specified in the Article herein shall make the maximum effort to ensure that the written warning is used an approximately equal number of times on each branded tobacco product. The written warnings shall be placed on the most visible surface of the single packets and any of their outer packaging. The most visible surface of single packets with a flip-up top is the one which becomes visible when the packet is opened.

3. The general warning referred to in paragraph 1 of the Article herein shall occupy 30 percent of a single packet and any of its respective outer packaging.

4. The written warning referred to in paragraph 1 of the Article herein shall occupy 40 percent of a single packet and any of its respective outer packaging.

5. Where the warnings about potential damage to health referred to in paragraph 1 of the Article herein must be presented on a surface area larger than 150 square centimeters, the warning shall occupy an area of 45 square centimeters.

6. The warnings about the potential damage to health referred to in paragraph 1 of the Article herein shall comply with the requirements set out in Article 8²(7) of the Law herein. The warning text about the potential health damage shall be placed in parallel with the main text on the surface of these warnings. Warnings about the potential damage to health shall be outlined by a black line at least 3 millimeters, but not more than 4 millimeters in width. This line shall be placed on the exterior of the surface allocated for the placement of warnings about possible health damage.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 8⁵. Labelling of Smokeless Tobacco Products

1. Each single packet of smokeless tobacco product and any of its outer packaging shall contain the following warning about the potential health damage: "This tobacco product is harmful to your health and is causes addiction."

2. The warning about the potential damage to health referred to in paragraph 1 of the Article herein shall be subject to the requirements set out in Article 8²(7) of the Law herein. The warning text about the potential health damage shall be placed in parallel with the main text on the surface of these warnings.

3. The warning about the potential damage to health referred to in paragraph 1 of the Article herein shall:

- 1) Be placed on the two largest surfaces of the single packet and any of its outer packaging;
- 2) Cover 30 percent of the surface area of the single packet and any of its outer packaging;

Supplemented by Article:

No. [XII-1917](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11095

Article 8⁶. Presentation of Tobacco Products

1. The labels of single packets and any of their outer packaging and the tobacco product itself shall not contain any of the following elements or attributes, which:

1) Promote the purchase or the consumption of a tobacco product by creating an erroneous impression about its characteristics, effects on health, risks or substances released; no information about the quantities of nicotine, tar or carbon monoxide in the tobacco product is not provided in the label;

2) Create a false impression that a particular tobacco product is less harmful than other tobacco products or it aims to reduce the effect of certain harmful constituents of smoke or give an impression that a particular tobacco product contains any vitality giving, energetic, healing, youth-inducing, natural, ecological properties or has other beneficial effects on health or lifestyle;

3) List flavor, odor, any flavorings or additives or the absence thereof;

4) Provide a similarity to a food or a cosmetics product;

5) Give an impression that the biodegradation of any particular tobacco product is greater or that it has other environmental advantages.

2. Single packets and any of their outer packaging shall not create an impression that they provide any economic benefits, hence it shall be prohibited to provide printed coupons, offer discounts, free distribution, two products for the price of one, or provide other similar offers.

3. The elements and signs referred to in paragraphs 1 and 2 of the Article herein may include texts, symbols, names, trademarks, figurative or other signs.

RLA note: The prohibition of the supply of information on menthol-flavored or scented tobacco products established in Item 3 of Article 8⁶(1) shall be applied from 20 May 2020.

Supplemented by Article:

No. [XII-1917](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11095

Article 8⁷. Appearance and Contents of Single Packets (Packaging)

1. Single packets of cigarettes shall be in the shape of a rectangular parallelepiped. The warning of possible damage to health on the rectangular parallelepiped-shaped single packets of cigarettes with rounded or beveled edges shall occupy an area equal to the surface area of a single packet excluding these edges. Single packets of rolling tobacco shall be in the shape of a rectangular parallelepiped, cylindrical or pouch-shaped. The weight of rolling tobacco in the single packet shall be at least 30 grams.

Amendments to paragraphs of the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

2. Single packets of cigarettes may be made from cardboard or a soft material and it may not have a cover that could be closed or resealed after first being opened, with the exception of the flip-up top cover and the slide opening cover. The covers of the packets with flip-up tops and slide opening covers shall be opened and closed only at the top end of the single packet.

Supplemented by Article:

No. [XII-1917](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11095

Article 9. Reports of Manufacturers and/or Importers of Tobacco Products on the Ingredients of Tobacco Products and Substances Released

1. Manufacturers and/or importers of tobacco products shall, in accordance with the procedure established by the Government of the Republic of Lithuania and on the basis of the brand and type, submit to the Drug, Tobacco and Alcohol Control Department a report the form of which is set by the European Commission, informing of the following:

1) The full ingredients list of all the component parts of tobacco products and their quantities used for the manufacturing of tobacco products (hereinafter - the list) for each tobacco component in descending order. The list shall indicate whether the component parts of the tobacco products have been registered in accordance with Regulation (EC) No 1907/2006 and whether they have been classified according to the Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 concerning the classification, labelling and packaging amending and repealing Directives 67/548/EEC and 1999/45/EC and amending Regulation (EC) No 190/2006 (OJ 2008 L 353, p. 1). The list shall be accompanied by a statement indicating why such ingredients have been used in the respective tobacco products, accompanied by the toxicological data, describing,

respectively, the burnt or unburnt ingredients of these tobacco products, indicating their effect on the health of the users and the addictive effects caused;

2) The quantities of substances released from cigarettes referred to in Article 4(2) of the Law herein;

3) Where available, the information on other substances released from the cigarettes and from tobacco products other than cigarettes, other than the ones referred to in Article 4(2) of the Law herein, and the methods of their detection;

4) The volume of each of the product sold expressed in units of products or kilograms, starting from 1 January 2015;

5) Where available, the research data of internal and external market research and priority research data of various consumer groups, including youth and current smokers, pertaining to the ingredients of tobacco products and the substances released, as well as summaries of market research carried out at the start of selling novel products.

RLA note: *Information regarding the tobacco products which have already been placed on the market of the Republic of Lithuania shall, in accordance with Article 9(1), be supplied no later than 20 November 2016.*

2. The manufacturers and importers of tobacco products shall inform the Drug, Tobacco and Alcohol Control Department if the composition of the tobacco product is modified so that it is no longer matches the information provided previously in accordance with the requirements set out in paragraph 1 of the Article herein;

3. In the case of information requested for a new or modified tobacco product under the Article herein, it shall be supplied to the Drug, Tobacco and Alcohol Control Department prior to placing such product on the market.

4. The manufacturers and importers of cigarette and rolling tobacco shall, prior to placing these products on the market, provide the Drug, Tobacco and Alcohol Control Department with a technical document detailing the description of the additives used and their properties, and specifying the methods of detecting the quantities of substances other than tar, nicotine and carbon monoxide, which are released.

5. The information received in accordance with paragraphs 1, 2 and 4 of the Article herein shall be publicly available on the website of the Drug, Tobacco and Alcohol Control Department. By publishing the information hereto, the Drug, Tobacco and Alcohol Control Department shall protect the commercial (industrial) secrets.

6. When submitting the information on the basis of paragraphs 1, 2 and 4 of the Article herein, the manufacturers and importers of tobacco products shall be required not only to specify what information they regard to be a commercial (industrial) secret, but also to justify their reasoning.

7. All the information required to be submitted under the Article herein shall be submitted in electronic form and stored at the Drug, Tobacco and Alcohol Control Department, which is responsible for ensuring that the information specified as confidential by the manufacturers and importers of tobacco products is not disclosed, with the exception of cases where, in the manner prescribed by the legislation, law enforcement or other authorities shall have the right to obtain such information, as well as ensure that the information stored is available to the European Commission and other Member States of the European Union in the manner prescribed in the resolutions adopted by the European Commission.

8. The manufacturers and importers of cigarettes and rolling tobacco containing an additive laid down on a priority list of additives contained in cigarettes and roll-your-own tobacco subject to enhanced reporting obligations drawn up by the Commission Implementing Decision (EU) 2016/787 of 18 May 2016 (OJ 2016 L 131, p. 88) shall carry out detailed studies examining whether any additive on the list of ingredients of the product and placed on this list:

1) Contributes to the toxicity or addiction inducing capacity of the respective tobacco products, as a result of which the toxicity or addiction inducing capacity of any of the respective tobacco products is significantly or measurably increased;

2) Provides an added odor or flavor to the tobacco product;

3) Facilitates the inhalation or the uptake of nicotine, or

4) Causes the formation of CMR-containing substances or an increase in their amount leading to a significant or measurable increase in the CMR properties of any of the respective tobacco products.

9. When carrying out the research referred to in paragraph 8 of the Article herein, the use in accordance with the purpose of the tobacco products containing additives placed on the list referred to

in paragraph 8 of the Article herein shall be taken into account, and the substances released, resulting from the combustion process and associated with the additive placed on this list, shall be examined first. When conducting research, it shall also be necessary to examine the interaction of the additive with the other components of the respective tobacco products. The manufacturers and importers using the same additive in their tobacco products may conduct joint research when this additive is used in tobacco products the components of which are similar.

10. The manufacturers and importers shall, not later than 18 months after a particular additive has been added to the list referred in paragraph 8 of the Article herein, submit a report to the European Commission and its copy to the Drug, Tobacco and Alcohol Control Department regarding the research results of the research indicated as mandatory in paragraph 8 of the Article herein. The report shall contain a summary and a detailed overview, in which producers and importers state the available scientific literature on the additive and shall summarize the available data on the effects of this additive.

11. The European Commission and/or the Drug, Tobacco and Alcohol Control Department shall have the right to request that the manufacturers and importers providing the report, as provided for in paragraph 1 of the Article herein, also supply their additional information regarding a certain additive. The additional information received shall be included in the report.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 9¹. Tobacco Production and Sales Reports

1. Manufacturers of tobacco products shall, on a quarterly basis and before the 10th day of the first month of the following quarter, provide to the Drug, Tobacco and Alcohol Control Department a report detailing the quarterly production and sales of tobacco products in the manner prescribed by an institution authorized by the Government of the Republic of Lithuania.

2. Legal entities and branches of foreign legal entities established in the Republic of Lithuania in possession of a license to engage in the wholesale of tobacco products shall, before the 10th day of the first month of the following quarter, provide to the Drug, Tobacco and Alcohol Control Department a report detailing the quarterly sales of tobacco products in the manner prescribed by an institution authorized by the Government of the Republic of Lithuania.

SECTION TWO

REQUIREMENTS FOR THE SUBMISSION OF THE INGREDIENTS, QUALITY AND LABELLING OF ELECTRONIC CIGARETTES, REFILLABLE CARTRIDGES OF ELECTRONIC CIGARETTES AND SMOKEABLE HERBAL PRODUCTS, AND THE PROVISION OF INFORMATION ON ELECTRONIC CIGARETTES, REFILLABLE CARTRIDGES OF ELECTRONIC CIGARETTES, SMOKEABLE HERBAL PRODUCTS AND NOVEL TOBACCO PRODUCTS

Article 9². General Requirements for the Composition and Quality of Electronic Cigarettes and Refillable Cartridges of Electronic Cigarettes

1. The electronic cigarettes and refillable cartridges of electronic cigarettes supplied to the market in the Republic of Lithuania shall comply with the requirements set out in the Law herein and in other legal acts, with the exception of the electronic cigarettes and refillable cartridges of electronic cigarettes which are, in a manner prescribed, entered into the Republic of Lithuania Register of Medicinal Products.

2. The electronic cigarettes and refillable cartridges of electronic cigarettes supplied to the market shall meet the following requirements:

1) The liquid containing nicotine shall be supplied to the market only in designated refillable cartridges of electronic cigarettes with a volume of less than 10 milliliters, in disposable electronic cigarettes or disposable capsules or containers the volume of which shall not exceed 2 milliliters;

2) The nicotine-containing liquid shall not contain more nicotine than 20 milligrams per milliliter of liquid;

3) Only those components the heating or lack of heating of which are not hazardous to human health have been used in the production of liquid containing nicotine, with the exception of nicotine;

4) The amount of nicotine is consistently dosed by the electronic cigarettes under normal conditions of use;

5) The electronic cigarettes and refillable cartridges of electronic cigarettes shall have enhanced protection from children (including warnings about the threat posed by electronic cigarettes to children or the necessity to protect them from children, a more complex actuating mechanism or other measures restricting the opportunities for children to use electronic cigarettes, etc.) and shall be protected from damage, cracking and permeability, and have a mechanism that ensures that no liquid oozes out during their refill. The refill mechanism shall meet the requirements set out in the Commission Implementing Decision (EU) 2016/586 of 14 April 2016 on technical standards for the refill mechanism of electronic cigarettes (OJ 2016 L 101, p. 15).

3. Only very pure components shall be used in the production of the nicotine containing liquid. Nicotine-containing liquid may only have an amount of the components other than the components of the product (according to the brand and type) and the substances released during its use which are technologically impossible to avoid during the manufacturing process.

4. The placing of electronic cigarettes and refillable cartridges of electronic cigarettes on the market shall be prohibited where the nicotine-containing fluid has the following additives:

1) Vitamins or other additives, which give the impression that the electronic cigarettes and refillable cartridges of electronic cigarettes are beneficial or less harmful to health;

2) Caffeine or taurine, or other additives and stimulant compounds that are associated with energy and vitality;

3) Additives that color the substances released;

4) Additives that possess CRM properties when not burnt.

Article 9³. Notification of the Placement on the Market of Electronic Cigarettes and Refillable Cartridges of Electronic Cigarettes

1. The manufacturers and importers of electronic cigarettes and refillable cartridges of electronic cigarettes shall, in the manner prescribed by the Government of the Republic of Lithuania, submit to the Drug, Tobacco and Alcohol Control Department a notification on the electronic cigarettes and refillable cartridges of electronic cigarettes they intend to place on the market. The notification shall be submitted six months prior to the first placement on the market of each brand and each type of electronic cigarettes and refillable cartridges of electronic cigarettes. A notification of electronic cigarettes and refillable cartridges of electronic cigarettes already placed on the market prior to 20 May 2016 shall be submitted within six months of 20 May 2016. A new notification shall be submitted each time an electronic cigarette or a refillable cartridge of electronic cigarette is fundamentally altered.

2. The notice shall, depending on whether the product is an electronic cigarette or a refillable cartridge of an electronic cigarette, contain the following information:

1) The title or name and surname and contact details of the manufacturer, the natural or legal person in charge in the European Union and, where applicable, the time or name and surname and contact details of the importer to the European Union;

2) A list of all the components of the product (according to the brand and type) and the substances released on its use, specifying their quantities;

3) The toxicological data relating to these product components and the substances released during use, among other things, released when heating the components, in particular, specifying their impact on consumer health when inhaled and in view of, *inter alia*, the addiction causing impact;

4) Information on the dosage and uptake of nicotine when using it in the normal or reasonably foreseeable manner;

5) The description of the components of the product, including the opening and refill mechanism of electronic cigarettes and refillable cartridges of electronic cigarettes, when it is applied;

6) The description of the manufacturing process, including information about whether or not a series production is used, and a statement that compliance with the requirements of the Law herein is ensured in the manufacturing process;

7) A statement that the manufacturer and the importer bears full responsibility for product quality and safety when it is placed on the market and when used in a normal or reasonably foreseeable manner.

3. In cases where the Drug, Tobacco and Alcohol Control Department believes that the information supplied is not complete, it shall have the right to request to supplement the information provided.

4. The information received in accordance with the Article herein shall be publicly available on the website of the Drug, Tobacco and Alcohol Control Department. The publishing of this information shall properly take into account the necessity to protect the commercial secrets.

Article 9⁴. Labelling Requirements for Electronic Cigarettes and Refillable Cartridges of Electronic Cigarettes Intended for Sale in the Republic of Lithuania

1. A leaflet shall be supplied with the single packets of electronic cigarettes and refillable cartridges of electronic cigarettes, containing the following:

- 1) Information on product use and storage, including an indication that the product is not recommended for young people and non-smokers;
- 2) Contraindications;
- 3) Warnings of specific population groups at risk;
- 4) The potential adverse effects;
- 5) The capability of inducing addiction and toxicity, and
- 6) The contact details of the manufacturer or importer and of a natural person or legal entity acting as a contact in the European Union.

2. The single packets or any outer packaging of electronic cigarettes and refillable cartridges of electronic cigarettes shall contain a complete list of chemical substances (in a descending order by weight), the quantity of nicotine in the product and the quantity of nicotine obtained from a single dose, the product batch number and the recommendation to keep the product out of the reach of children.

3. Without prejudice to the application of paragraph 2 of the Article herein, single packets or any outer packaging of electronic cigarettes and refillable cartridges of electronic cigarettes shall not contain any elements or attributes, which:

- 1) Promote the purchase or use of these products by giving a false impression about its characteristics, health effects, risks or substances released;
- 2) Create an impression that a particular tobacco product is less harmful than other products or that it contains any vitality giving, energetic, healing, youth-inducing, natural, ecological properties or has other beneficial effects on health or lifestyle;
- 3) List flavor, odor or any other additives or the absence thereof;
- 4) Provide a similarity to a food or a cosmetics product;
- 5) Give an impression that the biodegradation of the product is greater or that it has other environmental advantages.

4. Single packets and any of the outer packaging shall not create an impression that they provide any economic benefits, hence it shall be prohibited to provide printed coupons, offer discounts, free distribution, two products for the price of one, or provide other similar offers.

5. The elements and signs prohibited, referred to in paragraphs 3 and 4 of the Article herein, may include, but shall not be limited to texts, symbols, names, trademarks, figurative or other signs.

Article 9⁵. Warnings About Potential Harm to Health

1. Single packets or any outer packaging of electronic cigarettes and refillable cartridges of electronic cigarettes shall bear the following warning about possible health hazards: "This product contains nicotine, which is a very highly addictive substance." It is not recommended for non-smokers."

2. The warning about potential harm to health shall:
 - 1) Printed on a white background in a bold black *Helvetica* font;
 - 2) Presented in the center of the surface area designated for the warning, and on rectangular box-shaped single packets and any of its outer packaging it shall be positioned parallel to the lateral edge of the single packet or its outer packaging;
 - 3) The text of the warning about potential damage to health shall be arranged on the designated surface in parallel with the main text, and on the two largest surfaces of the single packet or any outer packaging;
 - 4) The text of the warning about potential damage to health shall occupy 30 percent of the designated surface of the single packet or any outer packaging;

Article 9⁶. Notifications Regarding the Sales of Electronic Cigarettes and Refillable Cartridges of Electronic Cigarettes

1. The manufacturers and importers of electronic cigarettes and refillable cartridges of electronic cigarettes shall annually, in the manner prescribed by the Government of the Republic of Lithuania, submit to the Drug, Tobacco and Alcohol Control Department the following:

- 1) Detailed data on the volume of sales (according to the brand and type);
- 2) Information on a variety of consumer groups, including young people, non-smokers and the main consumer group;
- 3) The method of the sale of the products, and
- 4) Summaries of all the market research conducted to gather the information referred to in the paragraph herein, including their translation into English;

2. The Drug, Tobacco and Alcohol Control Department shall, in the manner prescribed by the legal acts, monitor the market developments of electronic cigarettes and refillable cartridges of electronic cigarettes, including any evidence that their use causes young people and non-smokers to become addicted to nicotine, and, finally, to the use of traditional tobacco.

Article 9⁷. Recognition of Electronic Cigarettes and Refillable Cartridges of Electronic Cigarettes due to Non-Compliance with the Statutory Labelling, Composition and Quality Requirements

1. The State Consumer Rights Protection Authority shall supervise whether the labelling, composition and quality of electronic cigarettes and refillable cartridges of electronic cigarettes meets the requirements established by the legal acts.

2. The manufacturers, importers or distributors of electronic cigarettes and refillable cartridges of electronic cigarettes shall collect and store information on any suspected adverse effects on the human health caused by electronic cigarettes and refillable cartridges of electronic cigarettes.

3. Any of the manufacturers, importers or distributors of electronic cigarettes and refillable cartridges of electronic cigarettes shall immediately take corrective actions necessary to ensure that the respective product complies with the requirements set out in the Law herein, is removed or recalled from the market and that it performs other product safety-related duties in accordance with its competencies established by the Republic of Lithuania Law on Product Safety and in other legal acts. In such cases, it shall also be required for the manufacturer, importer or distributor to immediately inform the State Consumer Rights Protection Authority and provide the full details, first of all, of the risk to human health and safety, of any corrective actions taken and the results of such corrective actions. The procedure for the submission of this information shall be established by the State Consumer Rights Protection Authority.

4. The institution authorized by the Government of the Republic of Lithuania may ask the manufacturers, importers or distributors of electronic cigarettes and refillable cartridges of electronic cigarettes to provide additional information.

Article 9⁸. Provisional Measures

In the case of electronic cigarettes and refillable cartridges of electronic cigarettes which meet the requirements of the Law herein, when the institution authorized by the Government of the Republic of Lithuania determines or has reasonable grounds to believe that particular electronic cigarettes or or refillable cartridges of electronic cigarettes, or a specific type of electronic cigarettes or refillable cartridges of electronic cigarettes may pose a serious risk to human health, it may, in the manner prescribed by the legal acts, temporarily prohibit the placement on the market of these electronic cigarettes or refillable cartridges of electronic cigarettes, or take other market restriction measures established in the Republic of Lithuania Law on Product Safety. The institution authorized by the Government of the Republic of Lithuania shall, in the manner prescribed by the legislative acts, immediately inform the European Commission and the competent authorities of States party to the European Economic Area Agreement of the measures taken and submit any supporting documentation.

Article 9⁹. Labelling of Smokable Herbal Products

1. Each single packet of smokable herbal product and any of its outer packaging shall contain a warning about the potential health damage: "Smoking this product smoking is harmful to your health."

2. The warning about the possible damage to health shall be printed on the front and back sides of the external packet and on the surface of any of its outer packaging.

3. The warning about the potential damage to health shall comply with the requirements set out in Article 8²(7) of the Law herein. The warning about the possible damage to health shall occupy 30 percent of the area of the respective single packet and any of its outer packaging.

4. Single packets of smokable herbal products and any of their outer packaging shall not contain any elements or features referred to in Items 1, 2 and 4 of Article 8⁶(1), nor the claim that the product does not contain additives or flavorings.

Article 9¹⁰. Provision of Information About the Ingredients of Smokable Herbal Products

1. The manufacturers and importers of smokable herbal products shall, in the manner prescribed by the Drug, Tobacco and Alcohol Control Department, submit to it a detailed list of ingredients used in the manufacturing of smokable herbal products supplied to the market of the Republic of Lithuania and the quantities thereof (for each smokable herbal product based on its brand and type), as well as inform if the composition of the product is modified so it has an impact on the information supplied on the basis of the Article herein.

2. When a new or updated smokable herbal product is supplied to the market of the Republic of Lithuania, the information specified in paragraph 1 of the Article herein shall be provided prior to releasing such product to the market.

3. The information received on the basis of the Article herein (with the exception of the information provided by the manufacturers and importers which they consider to be a commercial (industrial) secret) shall be publicly available on the website of the Drug, Tobacco and Alcohol Control Department. When submitting the information on the basis of paragraphs 1 and 2 of the Article herein, the manufacturers and importers of smokable herbal products shall be required to specify what information they regard to be a commercial (industrial) secret, and to justify their reasoning.

Article 9¹¹. Notifying of Novel Tobacco Products

1. The manufacturers and importers of novel tobacco products shall be required to submit to the Drug, Tobacco and Alcohol Control Department a notice to of any novel tobacco product they intend to supply to the market of the Republic of Lithuania, in the manner prescribed by the Government of the Republic of Lithuania.

2. The notice provisioned in paragraph 1 of the Article herein shall be submitted in electronic form six months prior to the delivery of the novel tobacco products to the market. A full description of the novel tobacco product shall be attached to the notice, as well as, in accordance with Article 9(1) of the Law herein, the information on its use and the ingredients of the tobacco products and the substances released.

3. The manufacturers and importers of novel tobacco products, submitting a notice regarding a novel tobacco product, shall also submit the following:

1) The available data on the toxicity, addiction induction capability and the attractiveness of the novel tobacco product, in particular with regards to the ingredients of the tobacco product and substances emitted, the impact on the health of the consumers when using the novel tobacco product for its intended purpose, and taking into account the clinical studies carried out on the safety or noxiousness of this product compared with the other tobacco products on the market;

2) The available data on research and its abstracts, as well as market research on a variety of consumer groups, including non-smoking youth and the current smokers;

3) Any other relevant available information, including product risks and benefits analysis, its expected impact on the cessation of tobacco use, its expected impact on the initiation of tobacco use and the predicted decisions of the user.

4. The manufacturers and importers of novel tobacco products supplying these products to the market, shall submit to the Drug, Tobacco and Alcohol Control Department new (not previously supplied) or updated information on research studies, testing and other information referred to in paragraph 3 of the Article herein.

5. The statements and information about the novel tobacco product presented to the consumers shall be scientifically based, objective and not misleading; hence the Drug, Tobacco and Alcohol Control Department may request the manufacturers and importers of the novel tobacco products to carry out further testing or supply additional information.

6. In cases where additives which give an added flavor or odor to the tobacco product are used in the novel tobacco product, these additives may not increase the aerosol toxicity of these novel tobacco products. In addition, this novel tobacco product, single packets or any of their outer packaging or other consumer information about the novel tobacco product may not be related and described in words, which may be associated with candy, sweets, children's toys, cartoon characters or other types of information that promotes the interest of minors in novel tobacco products or their use.

7. When submitting the information about the novel tobacco product in accordance with the requirements set out in the Article herein, the manufacturers and importers shall specify the type of tobacco product - whether it is smokeless or smoking.

Amendments to the Section:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Amendments to the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

CHAPTER III STATE LEGAL REGULATION OF ACTIVITIES RELATED TO TOBACCO, TOBACCO PRODUCT AND ASSOCIATED PRODUCTS

Change to the title of the Changed the title of Chapter:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

SECTION ONE LICENSING OF ACTIVITIES

Article 10. Licensing of activities and types of licenses

1. The manufacturing, wholesale and retail of tobacco products in the Republic of Lithuania shall be permitted only when in possession of a license issued in the manner prescribed.

Amendments to paragraphs of the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

2. Repealed on 1/1/2016

Deletion of part of the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

3. The licensing rules for the types of activities listed in paragraph 1 of the Article herein shall, in accordance with the Law herein, the Civil Code of the Republic of Lithuania and other legal acts, be approved by the Government of the Republic of Lithuania.

Amendments to the Article:

No. [X-1637](#), 6/26/2008, Official Gazette, 2003, No. 76-3006 (5/7/2008)

Article 11. Issuance of Licenses, Refusal to Issue a License, Suspension of a License, and the Revocation of a License

1. Licenses for the manufacturing and wholesale of tobacco products may be issued to legal entities established in the Republic of Lithuania and to branches of foreign legal entities. Licenses for the retail of tobacco products may be issued to legal entities established in the Republic of Lithuania and to branches of foreign legal entities, legal entities established in other States party to the European Economic Area Agreement or other organizations and their branches (together, hereinafter - legal entities and branches of foreign legal entities).

2. Licenses referred to in paragraph 1 of the Article herein shall be issued to legal entities or branches of foreign legal entities meeting the following requirements:

1) Are not in arrears to the state budget of the Republic of Lithuania, municipal budget or funds the taxes paid into which are administered by the State Tax Inspectorate (with the exception of cases where the payment of taxes, interest or fines is deferred in the manner prescribed by the legislation of the Republic of Lithuania or in cases of an ongoing payment dispute over these taxes, interest or fines);

2) Do not owe taxes to the State Social Insurance Fund;

3) The legal entity or branch of a foreign legal entity or their managers do not have a *res judicata* court decision regarding a conviction, a final court ruling or order, a *res judicata* of, respectively, the customs, the State Tax Inspectorate, the police, the State Consumer Rights Protection Service (hereinafter - the Service) or the Drug, Tobacco and Alcohol Control Department regarding the issuance of a fine for smuggling of tobacco products, the sale, storage or transportation of counterfeit tobacco products, for the sale, storage or transportation of tobacco products without possessing legally valid documents confirming the acquisition of tobacco products, as well as for the unlawful possession, transportation or sale of tobacco products without special markings - tax bands, or at least five years have passed since the *res judicata* decision regarding the conviction, a court decision or order, or the decision of the customs, the State Tax Inspectorate, the police, the Service or the Drug, Tobacco and Alcohol Control Department regarding the punishment or an issuance of a fine;

4) The managers of the legal entity or branch of a foreign legal entity are not (and have not been) the managers (heads) or other employees of the branches of the legal entity or branch of a foreign legal entity, where they acted in the name of the legal entity or branch of a foreign legal entity at the time the license of that legal entity or branch of a foreign legal entity was revoked on the basis of Item 3 of paragraph 15, Item 4 of paragraph 16 of the Article herein or Article 26(5) of the Law herein, and where the validity of the license had been revoked, at least five years have elapsed since the *res judicata* conviction, decision or order referred to in Item 3 of paragraph 2 of the Article herein has been adopted;

5) The license of a legal entity or branch of a foreign legal entity has not been revoked within the past five years on the basis of Item 3 of paragraph 15, Item 4 of paragraph 16 of the Article herein or on the basis of Article 26(5);

6) The license of a legal entity or branch of a foreign legal entity has not been revoked within the past year on the basis of Item 5 of paragraph 15, Item 6 of paragraph 16 of the Article herein or on the basis of Article 26(5);

7) The license for the retail of tobacco products of a legal entity or branch of a foreign legal entity has not been revoked within the past three years for the violation of the requirements referred to in Item 3 of Article 14(5) of the Law herein at the trading venue for which the license is requested;

8) The wholesale of tobacco products will take place and/or the tobacco products will be stored in wholesale warehouses of tobacco products (applicable in cases where the legal entity established in the case of the Republic of Lithuania or a branch of a foreign legal entity applies for a license for the wholesale of tobacco products).

9) Possesses a Service-issued document confirming that the quality indicators of the tobacco products which are expected to be produced are in line with the safety and quality indicators established in the legislation of the Republic of Lithuania (applicable in cases where a legal entity established in the Republic of Lithuania or a branch of a foreign legal entity applies for a license for the sale of tobacco products);

10) The legal entity or branch of a foreign legal entity ensures that the trading venue intended for the retail of tobacco products and the manner chosen to sell them have been chosen without violating the prohibitions and restrictions referred to in Article 15 of the Law herein (applicable in cases where a legal entity or a branch of a foreign legal entity applies for a license for the retail of tobacco products).

3. Licenses for the manufacturing and wholesale of tobacco products shall be issued by the Drug, Tobacco and Alcohol Control Department in accordance with the licensing rules approved by the Government of the Republic of Lithuania, also warning of a possible suspension or revocation of the license, revoking the license and annulling the suspension or revocation of the licenses.

4. Licenses for the retail sale of tobacco products (including the retail sale of tobacco products from car shops), in accordance with the licensing rules approved by the Government of the Republic of Lithuania, shall be issued by the executive authority of the municipality in the territory in which the legal entity or branch of a foreign legal entity shall conduct or is conducting retail trade of tobacco products, which shall also notify of a possible suspension or revocation of a license, revoke a license, revoke the suspension or revoke the validity of the license, and in the case of retail trade of tobacco products in passenger vehicles by which the legal entity or branch of a foreign legal entity supplies the services of passenger transportation by air, water or rail transport vehicles (hereinafter - vehicles for transportation of passengers), - by the executive authority of the municipality in which the head office of the legal entity or the branch of a foreign legal entity established in the Republic of Lithuania,

wishing to engage in (engaged in) the retail sale of tobacco products in vehicles for transportation of passengers, is located.

5. Licenses shall be issued for an indefinite period.

6. The activities governing the issuance of licenses at municipalities shall be coordinated and monitored by the Drug, Tobacco and Alcohol Control Department.

7. A legal entity or a branch of a foreign legal entity established in the Republic of Lithuania wishing to obtain a license for the manufacturing or wholesale of tobacco products shall have a license issued or a written motivated refusal to issue it shall be given no later than within 30 days from the date of the receipt of the request for the issuance of a license by the licensing authority and its receipt of all the properly formalized documentation necessary to obtain a license. Where within this period the licensing authority does not issue a license and does not issue a written motivated refusal to grant a license to the legal entity or a branch of a foreign legal entity established in the Republic of Lithuania, it shall be considered that the license has been issued.

8. Licenses for the manufacturing or wholesale trade of tobacco products shall not be issued due to the following:

1) Not all the documents required for the issuance of a license are submitted, and the legal entity or a branch of a foreign legal entity established in the Republic of Lithuania does not, within the term specified by the licensing authority, which shall be at least 5 working days from the day of the receipt of the notification from the licensing authority regarding the missing documents, fulfill the requirement of the licensing authority to submit the missing documents;

2) Documents required for the issuance of a license are submitted incomplete or incorrectly filled out, and the legal entity or a branch of a foreign legal entity established in the Republic of Lithuania does not, within the term specified by the licensing authority, which shall be at least 5 working days from the day of the receipt of the notification from the licensing authority regarding the deficiencies of the documents submitted, fulfill the requirement of the licensing authority to correct these deficiencies;

3) The legal entity or a branch of a foreign legal entity established in the Republic of Lithuania does not meet at least one of the requirements established in Items 1-6, Item 8 (where requesting a license for the wholesale trade of tobacco products) or Item 9 (where requesting a license for the manufacturing of tobacco products) of paragraph 2 of the Article herein;

4) Legal entity or a branch of a foreign legal entity established in the Republic of Lithuania has failed to fulfill the requirements set out in the Republic of Lithuania Law on Fees and Charges.

9. It shall be considered that a license for the retail sale of tobacco products is issued on the next day after the day of the submission of the notification to the executive authority of the municipality in whose territory this activity is intended by the legal entity or a branch of a foreign legal entity about the intent to engage in the retail of tobacco products (hereinafter - notification), and in the case of retail trade of tobacco products in vehicles for transportation of passengers - submission of the notification to the executive authority of the municipality in which the head office of the legal entity or the branch of a foreign legal entity established in the Republic of Lithuania, wishing to engage in (engaged in) the retail sale of tobacco products in vehicles for transportation of passengers, is located. When the notification of the legal entity or a branch of a foreign legal entity specifies a date from which the launch of the retail sale of tobacco products is expected, and this date is later than the next day from the submission of the notification, it shall be assumed that the license is granted from the date specified in the notice. Upon receiving the notification, the licensing authority shall, within 5 days of the date of the submission of the notification, verify whether the legal entity or a branch of a foreign legal entity meets the requirements set out in Items 5-7 and Item 10 of paragraph 2 of the Article herein and has fulfilled the requirements set out in the Republic of Lithuania Law on Fees and Charges, and, no later than within 20 days, shall verify whether the legal entity or a branch of a foreign legal entity meets the requirements set out in Items 1-4 of paragraph 2 of the Article herein.

10. A legal entity or a branch of a foreign legal entity shall declare in the notification that it meets each of the requirements set out in Items 1-7 and Item 10 of paragraph 2 of the Article herein and has fulfilled the requirements set out in the Republic of Lithuania Law on Fees and Charges. Where the notification is submitted by a legal entity or another organization or its branch established in another State party to the European Economic Area Agreement, a document issued by a competent authority of the State party to the European Economic Area Agreement in which the legal entity or another organization or its branch, intending to engage in the retail sale of tobacco products, is registered, confirming that the legal entity of another organization or its branch, or their managers are

not subject to a *res judicata* of a court conviction referred to in Item 3 of paragraph 2 of the Article herein, or a *res judicata* of a court decision, or a ruling regarding a punishment or the issuance of a fine. In cases where the court judgement, decision or order referred to in Item 3 of paragraph 2 of the Article herein are *res judicata*, the date of the *res judicata* shall be specified in the document issued by the competent authority.

11. A legal entity or a branch of a foreign legal entity shall be warned of a potential suspension of the relevant license where:

1) It transpires that inaccurate data was submitted for the issuance of a license for the manufacturing or wholesale trade of tobacco products;

2) A legal entity or a branch of a foreign legal entity in possession of a license for the manufacturing, wholesale and/or retail trade of tobacco products is in violation of the requirements referred to in Items 5, 6 and/or 7 of Article 14(3) of the Law herein;

3) It transpires that the legal entity or a branch of a foreign legal entity which has been granted a license for the retail of tobacco products has not been operating for more than one year and has not applied to the licensing authority for the suspension or revocation of the license within the deadline established in Article 12(9) of the Law herein.

RLA note: *The one year period of inactivity of conducting business referred to in Item 3 of Article 11(11) following which the legal entity or a branch of a foreign legal entity must apply to the relevant licensing authority regarding the suspension or revocation of such license, shall be calculated from 1 January 2016.*

12. The legal entity or a branch of a foreign legal entity shall be warned of the possible revocation of the license where, following a change of the manager of the legal entity or a branch of a foreign legal entity, it transpires that they do not comply with the provisions established in Items 3 and/or 4 of paragraph 2 of the Article herein.

13. The license shall be suspended where a legal entity or a branch of a foreign legal entity:

1) Submits a request to have the license suspended;

2) Submits a request to have the address of a wholesale warehouse for tobacco products removed from the license for the wholesale trade of tobacco products and the license no longer contains addresses of any other warehouses;

3) Has been warned of the possible suspension of the license on the basis of Items 1 and/or 2 of paragraph 11 of the Article herein and has not, during the period established by the licensing authority, which may not be less than 10 days and not exceed 30 days from the date of notification by the licensing authority regarding the warning about a possible suspension of the license, resolved the irregularities specified and has not informed the licensing authority of the resolution of these irregularities;

4) Has been warned of the possible suspension of the license on the basis of Item 3 of paragraph 11 of the Article herein and has not, during the period established by the licensing authority, which may not be less than 10 days and not exceed 30 days from the date of notification by the licensing authority regarding the warning about a possible suspension of the license, informed the licensing authority of its reopening;

5) Submits a notification which does not comply with the requirements for the contents of the notification established in paragraph 10 of the Article herein.

14. The suspension of the license shall be revoked where a legal entity or a branch of a foreign legal entity the license of which has been suspended on the basis of paragraph 13 of the Article herein:

1) Has submitted a request to have the suspension of the license revoked, based on the provisions of Item 1;

2) Has submitted a request to have a new address of the warehouse for the wholesale of tobacco products entered into the license for the wholesale trade of tobacco products based on the provisions of Item 2;

3) Has removed the violations specified, due to which the validity of the license had been suspended, within the time limit established by the licensing authority, and has informed the licensing authority of their removal based on the provisions of Items 3 and/or 5;

4) Has reopened and notified the licensing authority of this fact, based on the provisions of item 4;

15. The license for the manufacturing or wholesale trade of tobacco products shall be revoked due to the following:

1) The legal entity or branch of foreign legal entity established in the Republic of Lithuania submits an application to have the license revoked;

2) It transpires that the legal entity established in the Republic of Lithuania is being or has been wound up or a branch of a foreign legal entity is finishing or has completed its activities and they have been de-registered from the Register of Legal Entities;

3) Where a legal entity or a branch of a foreign legal entity established in the Republic of Lithuania, their managers (heads) or other employees (who have acted in the name or the interest of the legal entity or a branch of a foreign legal entity), have a *res judicata* conviction referred to in Item 3 of paragraph 2 of the Article herein, a *res judicata* decision, order, or a relevant *res judicata* resolution of the customs, the State Tax Inspectorate, the police, the Service, or the Drug, Tobacco and Alcohol Control Department regarding the issuance of a fine and fewer than five years have passed since the *res judicata* date of such resolution;

4) On the basis of the grounds established in Article 26(5);

5) Where the legal entity or a branch of a foreign legal entity established in the Republic of Lithuania, which has been warned of the possible revocation of the license or which has had the license suspended shall, during the period established by the licensing authority, which may not be less than 10 days and not exceed 30 days from the date of notification by the licensing authority regarding the warning about a possible revocation of the license, has not eliminated the irregularities specified and has not notified the licensing authority of their removal;

16. The license for the retail of tobacco products shall be revoked where:

1) The legal entity or branch of a foreign legal entity did not meet the requirements set out in Items 1-7 and/or 10 of paragraph 2 of the Article herein on the day of the submission of the notice to the licensing authority, referred to in paragraph 9 of the Article herein;

2) The legal entity or branch of foreign legal entity submits an application to revoke the license;

3) The legal entity is being or has been wound up or a branch of a foreign legal entity is finishing or has completed its activities and have been de-registered from the Register of Legal Entities;

4) Where a legal entity or a branch of a foreign legal entity, their managers (heads) or other employees (who have acted in the name or the interest of the legal entity or a branch of a foreign legal entity), have a final conviction referred to in Item 3 of paragraph 2 of the Article herein, a *res judicata* decision, order, or a final resolution of the customs, the State Tax Inspectorate, the police, the Service, or the Drug, Tobacco and Alcohol Control Department regarding the issuance of a fine;

5) On the basis of the grounds established in Article 26(5)(7);

6) Where the legal entity or a branch of a foreign legal entity, which has been warned of the possible revocation of the license on the basis of paragraph 12 of the Article herein or which has had the license suspended on the basis of Item 3 of paragraph 13 of the Article herein shall, during the period established by the licensing authority, which may not be less than 10 days and not exceed 30 days from the date of notification by the licensing authority regarding the warning about a possible revocation of the license, has not eliminated the irregularities specified and has not notified the licensing authority of their removal;

7) A legal entity or another organization or its branch established in another State party to the European Economic Area Agreement has not, in accordance with paragraph 10 of the Article herein, substantiated that the legal entity or another organization or its branch, or their managers do not have a *res judicata* conviction referred to in Item 3 of paragraph 3 of the Article herein, a *res judicata* decision or order regarding the issuance of a fine or penalty.

17. The licensing authority shall suspend the license, revoke the suspension or the validity of the license and inform of the suspension of the license, the revocation of the suspension of the license or the revocation of the license of the license holder within 5 working days from the date of the disclosure of the circumstances referred to in paragraphs 13, 14, 15 or 16 of the Article herein.

18. Licenses shall be clarified and copies of the paper versions of the licenses shall be issued based on the procedures established in the licensing rules, approved by the Government of the Republic of Lithuania. The licensing authority shall clarify the licenses and issue copies of the paper versions of the licenses.

Amendments to the Article:

No. [X-699](#), 6/15/2006, *Official Gazette*, 2003, No. 73-2765 (6/30/2006)

No. [X-1637](#), 6/26/2008, *Official Gazette*, 2003, No. 76-3006 (7/5/2008)

No. [XI-1180](#), 11/30/2010, *Official Gazette*, 2003, No. 145-7433 (12/11/2010)

No. [XII-887](#), 5/15/2014, published in the RLA on 5/27/2014, law code 2014-05733

No. [XI-2102](#), 6/21/2012, *Official Gazette*, 2003, No. 78-4024 (7/4/2012)

Amendments to the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

Article 12. Conditions of Licensed Activities*Change to the title of the Article:*

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

1. Holders of licenses for the manufacturing of tobacco products or its wholesale or retail shall be prohibited from authorizing or transferring under a contract to other persons the right to engage in the activities specified on their license.

Amendments to paragraphs of the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

2. A license to engage in the manufacturing of tobacco products shall also grant its holder the right to engage in the wholesale of their manufactured tobacco products.

3. The holders of licenses for retail sale of tobacco products shall, in the Republic of Lithuania, be permitted to acquire tobacco products only from holders of licenses for the manufacturing or wholesale of tobacco products, and the provision herewith shall not preclude the holders of licenses for retail sale of tobacco products to import or transport tobacco products from other countries themselves for the activities specified on their licenses.

4. The holders of licenses for wholesale of tobacco products shall, in the Republic of Lithuania, be permitted to acquire tobacco products only from holders of licenses for the manufacturing or wholesale of tobacco products, and the provision herewith shall not preclude the holders of licenses for wholesale of tobacco products to import or transport tobacco products from other countries themselves for the activities specified on their licenses.

5. The holders of licenses for the manufacturing or wholesale of tobacco products shall, in the Republic of Lithuania, be permitted to sell tobacco products only to the holders of licences for the retail or wholesale of tobacco products, to foreign legal entities or their branches, which purchase and export tobacco products from the Republic of Lithuania, as well as foreign diplomatic missions, consular offices and mission of international organizations, accredited by the Ministry of Foreign Affairs of the Republic of Lithuania.

6. Repealed on 1/1/2016

Deletion of part of the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

7. Repealed on 1/1/2016

Deletion of part of the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

8. The holders of licenses for the manufacturing, wholesale or retail of tobacco products shall be permitted to produce, sell and/or store tobacco products only at the locations (places) specified on the license. Data, identifying the manufacturing, sale and/or storage locations of tobacco products to be included in the license shall be established by the Government of the Republic of Lithuania in the rules of the relevant type of business licensing.

Amendments to paragraphs of the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

9. Holders of licenses for the retail of tobacco products not engaged in the activities defined in the license for a period of at least a year shall, within 30 days from the date following the date from which the activities referred to in the license have not taken place for one year, inform the licensing authority and request to have the license suspended (the validity of the license shall be suspended for the period specified by its holder, or if the period is not specified, it shall be suspended indefinitely) or revoked.

RLA note: The one year period of inactivity of conducting business referred to in Article 12(9) following which the legal entity or a branch of a foreign legal entity must apply to the relevant licensing authority regarding the suspension or revocation of such license, shall be calculated from 1 January 2016.

Supplemented with paragraph of an Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

Amendments to the Article:

No. [X-1637](#), 6/26/2008, *Official Gazette*, 2003, No. 76-3006 (7/5/2008)

No. [XI-2102](#), 6/21/2012, *Official Gazette*, 2003, No. 78-4024 (7/4/2012)

SECTION TWO OTHER REGULATORY FEATURES

Article 13. Restriction on Tobacco Product Range

It shall be prohibited to sell tobacco for oral use, chewing tobacco and snuff in the Republic of Lithuania.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 14. Requirements to the Sale, Procurement, Storage and Transportation of Tobacco Products

Change to the title of the Article:

No. [XII-1738](#), 21/05/2015, published in the RLA on 27/05/2015, law code 2015-08130

1. It shall be prohibited to sell or store tobacco products without a license, to engage in the manufacturing of tobacco products, their wholesale or retail in the Republic of Lithuania, with the exception of cases stipulated in paragraph 2 of the Article herein.

Amendments to paragraphs of the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

2. The requirement to have a license for the manufacturing, wholesale or retail of tobacco products or a copy thereof established in paragraph 1 of the Article herein shall not be applies when tobacco products are stored and transported by persons providing transport services, foreign legal entities or their branches transporting tobacco products by transit or delivering them to their branches and missions in the Republic of Lithuania, or exporting them from the Republic of Lithuania, as well as foreign diplomatic missions, consular offices and mission of international organizations, accredited by the Ministry of Foreign Affairs of the Republic of Lithuania, who are in possession of mandatory legally valid documents supporting the acquisition of tobacco products or transport documents.

3. Legal entities and branches of foreign legal entities shall, in the Republic of Lithuania, be prohibited from selling, storing or transporting tobacco products, as well as import tobacco products into the Republic of Lithuania:

1) Without documents possessing legal power and confirming the acquisition or the transportation of tobacco products;

2) Where these products are counterfeit;

3) Where these products have been smuggled;

4) Not in possession of the special markings - tax bands, the examples of which are established by an institution authorized by the Government of the Republic of Lithuania, except in cases where the special markings of tobacco products - tax bands, are not mandatory according to the Republic of Lithuania Law on Excise Tax and other legislation;

5) Where the tar, nicotine and carbon monoxide yields of cigarettes are in excess of the quantities established by Article 4(2) of the Law herein;

6) Where the labelling of tobacco products does not meet the labelling requirements of tobacco products established by the Law herein and other legislation;

7) Where the compliance of tobacco products to the requirements set out in the legislation has not been confirmed by the documents and the procedures referred to in Article 5 of the Law herein;

8) In the absence of the mandatory copies of legally valid documents confirming the acquisition or transportation of tobacco products at the place of sale and/or storage of tobacco products.

4. Natural persons shall be prohibited from acquiring tobacco products, which in accordance with the legislation, are not labelled with special markings - tax bands, in the Republic of Lithuania. The arrangements for the storage and transportation of tobacco products applicable to natural persons shall be established by the Government of the Republic of Lithuania or its authorized institution.

Amendments to paragraphs of the Article:

No. [XII-1738](#), 21/05/2015, published in the RLA on 27/05/2015, law code 2015-08130

5. In addition, the Republic of Lithuania prohibits the sale of the following:

- 1) Single units of cigarettes, cigarillos and Russian cigarettes;
- 2) Cigarettes, if fewer than 20 units in each single packet;

Amendments to Items of the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

3) Tobacco products to persons under 18 years of age. When in doubt that the person is under 18 years of age, the vendors of tobacco products shall request a document from the buyer of tobacco products confirming the person's age. Where such a person fails to provide a document certifying their age, the vendor of tobacco products shall refusal to sell tobacco products to them.

6. It shall be prohibited to purchase or otherwise transfer tobacco products to persons under 18 years of age.

7. Natural persons in charge of the administration of marketplaces, heads of legal entities established in the Republic of Lithuania, heads of foreign legal entities or heads of their branches or their authorized persons shall engage in the monitoring of their administered marketplaces (taking all legal and organizational measures) in an effort to ensure that no tobacco products are sold, transported and/or stored in the marketplace without a license to engage in the retail of tobacco products. Natural persons in charge of the administration of marketplaces, heads of legal entities established in the Republic of Lithuania, heads of foreign legal entities or heads of their branches or their authorized persons shall, having noticed or suspecting that a legal entity established in the Republic of Lithuania, a foreign legal entity or its branch or a natural person is engaged in the sale, transportation and/or storage of tobacco products without being in possession of a license for the retail of tobacco products, report it to the police immediately, but not later than on the same working day of their administered marketplace.

Supplemented with paragraph of an Article:

No. [XII-1526](#), 23/12/2014, published in the RLA on 31/12/2014, law code 2014-21287

8. Only the holders of licenses for the manufacturing of tobacco products and legal entities or branches of foreign legal entities exporting raw tobacco from the Republic of Lithuania shall be permitted to sell raw tobacco in the Republic of Lithuania.

Supplemented with paragraph of an Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

Amendments to the Article:

No. [X-390](#), 11/15/2005, Official Gazette, 2003, No. 142-5105 (12/3/2005)

No. [X-699](#), 6/15/2006, Official Gazette, 2003, No. 73-2765 (6/30/2006)

No. [XI-2102](#), 6/21/2012, Official Gazette, 2003, No. 78-4024 (7/4/2012)

Article 14¹. Traceability of Tobacco Products

1. Each single packet of tobacco products shall contain the number or an equivalent of the batch to which the tobacco product belongs, by which the tobacco product, its place and time of manufacture may be identified. Where the batch number or its equivalent is encrypted and it is impossible to identify the place and/or time of manufacturing of the tobacco product, the manufacturers, importers and those transporting tobacco products into the country shall supply the institutions referred to in Article 26(13) of the Law herein with the decryption of these codes. The provisions of the paragraph herein shall not be applicable in instances where the single packet is labelled with a unique identifier in accordance with paragraph 2 of the Article herein.

2. Single packets of tobacco products intended for placement on the market shall be labelled with a unique identifier, which would allow to establish the place and time of the manufacturing of the tobacco products, as well as the production company, the equipment used to manufacture tobacco products, production shift or the time of manufacturing, description of the product, the intended retail market, the intended shipping route, and, where applicable, the importer into the European Union; the actual transport route from manufacturing site to the site of the first retail outlet, including all warehouses used, as well as the shipping date, shipping destination, place of shipment and the addressee, the identities of all the buyers, starting with the manufacturers and ending with the first

retail outlet; the invoices or VAT invoices of all the buyers, starting with the manufacturers and ending with the first retail outlet, the number of the purchase order and the payment records.

3. All the economic operators engaged in the sale of tobacco products, from the manufacturer of tobacco products to the last economic operator before the first retail outlet shall record all incoming single packets of tobacco products, as well as all of their interim movements and the final transfer of single packets to another entity. This obligation shall be fulfilled by labelling and registering the wholesale packaging of tobacco products, such as blocks, transportation crates or pallets in the manner prescribed by the authorized institution of the Republic of Lithuania, in case it is possible to determine the location of all single packets and trace them.

4. The manufacturers and importers of tobacco products shall conclude agreements regarding the storage of data referred to in paragraphs 2 and 3 of the Article herein with an entity independent of the manufacturers and importers of tobacco products to oversee the data repository (database) storing all the relevant data. The physical location (as well as electronic equipment for the storage of data) shall be within the territory of the European Union. The suitability of the independent entity, its independence and technical capabilities, as well as contracts for data storage shall be approved by the European Commission

5. The independent entity referred to in paragraphs 4 of the Article herein shall be monitored by an external auditor nominated and remunerated by the manufacturer or importer of tobacco products and which is approved by the European Commission. An external auditor shall submit an annual report assessing the violations related to accessing the data repository to the institution authorized by the Government of the Republic of Lithuania and to the European Commission.

6. The independent entity referred to in paragraph 4 of the Article herein shall be required to grant access to the data repository to the institutions referred to in Article 26(13) of the Law herein, other law enforcement authorities, the European Commission and the external auditors. Data referred to in paragraphs 2 and 3 of the Article herein may be submitted to the manufacturers or importers of tobacco products, provided that sensitive information is adequately protected in accordance with the relevant legislation of the European Union and Republic of Lithuania,

RLA note: Provisions for cigarettes and rolling tobacco referred to in Article 14¹(2)(3)(4)(5)(6) shall enter into force on 20 May 2019; for tobacco products, other than cigarettes and rolling tobacco, they shall enter into force on 20 May 2024.

Supplemented by Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 15. Restrictions on Retail Outlets and Methods of Retail

Change to the title of the Article:

No. [XII-2419](#), 9/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

It shall be prohibited to sell tobacco products in the Republic of Lithuania in the following

manner:

1) Through vending machines;

2) Based on distance selling agreements, including domestic and cross-border distance selling;

Amendments to Items of the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

3) At retail outlets, kiosks (stands) or other retail venues where the goods intended for children comprise 50 percent or more of the total retail turnover;

4) At pharmacies, health care, educational and cultural establishments, Internet cafés (Internet

clubs, etc.);

5) To persons under 18 years of age.

Amendments to the Article:

No. [XI-2102](#), 6/21/2012, Official Gazette, 2003, No. 78-4024 (7/4/2012)

Article 16. Restrictions on the Sale of Goods to Be Used for Smoking Tobacco Products or Preparing to Smoke Tobacco Products

The sale of goods intended for smoking tobacco products (or preparing to smoke tobacco products), i.e. pipes, cigarette holders, scrapers for pipes and cigarette holders, domestic cigarette

rolling machines, any type of smoking (cigarette) paper (cut or uncut, glued into rolls, with or without filters attached) shall be prohibited to persons under 18 years of age in the Republic of Lithuania.

Article 16¹. Prohibition of the Sale and Use of Electronic Cigarettes and Refillable Cartridges of Electronic Cigarettes to Minors

1. It shall be prohibited to sell electronic cigarettes and the refillable cartridges of electronic cigarettes to persons under 18 years of age in the Republic of Lithuania. When in doubt that the person is younger than 18 years of age, Item 3 of Article 14(5) shall apply.

2. It shall be prohibited for persons under 18 years of age to smoke (use) electronic cigarettes and to possess electronic cigarettes or refillable cartridges of electronic cigarettes in the Republic of Lithuania.

3. It shall be prohibited to purchase or otherwise transfer electronic cigarettes and the refillable cartridges of electronic cigarettes to persons under 18 years of age.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 16². Prohibition of the Distance Selling of Electronic Cigarettes and Refillable Cartridges of Electronic Cigarettes

1. Domestic and cross-border distance selling of electronic cigarettes and refillable cartridges of electronic cigarettes shall be prohibited in the Republic of Lithuania.

2. Institution authorized by the Government of the Republic of Lithuania shall cooperate with the authorized institutions of States party to the European Economic Area Agreement in order to prevent cross-border distance selling of electronic cigarettes and refillable cartridges of electronic cigarettes.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

SECTION THREE

**ADVERTISING OF TOBACCO PRODUCTS AND ASSOCIATED PRODUCTS,
PROMOTION AND SPONSORSHIP OF THEIR ACQUISITION AND/OR USE, AND
MEASURES FOR REDUCTION OF THEIR USE**

Change to the title of the Section:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

Article 17. Prohibition of the Advertising of Tobacco Products

1. The advertising of tobacco products (hereinafter - advertising), with the exception of cases referred to in paragraph 2 of the Article herein, as well as hidden advertising of tobacco products shall be prohibited in the Republic of Lithuania.

2. The ban on advertising shall not apply to the following:

1) The information referred to in paragraph 3 of the Article herein, displayed in retail outlets where tobacco products are sold to the consumer;

2) Publications that are intended exclusively for the specialists (professionals) of the tobacco industry, as well as publications published and distributed in the states which are not party to the European Economic Area Agreement, and where these publications are not intended for the market of the European Community;

3) The registered names and trademarks of the legal entities or branches of foreign legal entities manufacturing tobacco products (where the name of the tobacco product, the name of the manufacturer or tobacco products or the trademark is an integral part of the registered name of these legal entities or branches of foreign legal entities), where these names and trademarks are presented on the signboards placed on the buildings of the registered offices or branches of these legal entities or branches of foreign legal entities. Only the registered names of the legal entities or branches of foreign legal entities engaged in the manufacturing or sale of tobacco products may be displayed on the vehicles operated by these legal entities or branches of foreign legal entities.

4) The display of the name (trade name) of the legal entities or branches of foreign legal entities engaged in the manufacturing of tobacco products or whose principal activity is the sale of

tobacco products at events sponsored by such entities and on the lists of sponsors of such events, with the exception of such displays on television and radio programs.

3. Only the following information may be displayed on tobacco display equipment at retail outlets:

- 1) The name and the registered address of the manufacturer and/or the seller;
- 2) The names of tobacco products sold;
- 3) The words “For sale” or “Sold here”;
- 4) The prices of tobacco products.

4. Information (warnings) regarding the harmful effects of tobacco consumption on health and the prohibition on the sale of tobacco products to persons under 18 years of age shall be displayed at retail outlets in the manner prescribed by the institution authorized by the Government of the Republic of Lithuania.

5. The information referred to in paragraph 3 of the Article herein may be displayed only in conjunction with tobacco products for sale. It may not be displayed in leaflets, flyers or by other promotional measures designed to be taken away by the customers; in addition, the display of imitations of tobacco products or their single packets and images at retail outlets shall be prohibited. No other visual or graphic information on tobacco products, which is not expressly set out in paragraphs 3 and 4 of the Article herein shall be displayed a retail outlets.

Amendments to the Article:

No. [X-390](#), 11/15/2005, *Official Gazette*, 2003, No. 142-5105 (12/3/2005)

No. [XI-2102](#), 6/21/2012, *Official Gazette*, 2003, No. 78-4024 (7/4/2012)

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 17¹. Prohibition of Advertising of Electronic Cigarettes, Refillable Cartridges of Electronic Cigarettes and Smokable Herbal Products

1. The advertising of electronic cigarettes, refillable cartridges of electronic cigarettes and herbal smokable products, as well as hidden advertising of electronic cigarettes, refillable cartridges of electronic cigarettes and herbal smokable products shall be prohibited in the Republic of Lithuania.

2. Commercial communications providing information society services for the purposes of advertising electronic cigarettes, refillable cartridges of electronic cigarettes and/or smokable herbal products shall be prohibited in the press and other print publications with the exception of publications intended solely for the specialists in sales of electronic cigarettes, refillable cartridges of electronic cigarettes and/or smokable herbal products and publications which are printed and published in foreign countries, where these publications are not designed principally for the European Union market.

3. Commercial communications by radio pertaining to a direct or indirect advertisement of electronic cigarettes, refillable cartridges of electronic cigarettes and/or smokable herbal products shall be prohibited.

4. Any kind of public or private sponsorship of radio programs which directly or indirectly promotes the use of electronic cigarettes, refillable cartridges of electronic cigarettes and/or smokable herbal products shall be prohibited.

5. Any type of public or private sponsorship of events, activities or individual persons directly or indirectly promoting the use of electronic cigarettes, refillable cartridges of electronic cigarettes and/or smokable herbal products, and associated with several States party to the European Economic Area Agreement or taking place in several States party to the European Economic Area Agreement, or having cross-border effects shall be prohibited.

6. Commercial audiovisual communication regarding electronic cigarettes, refillable cartridges of electronic cigarettes and herbal smokable products, subject to the Republic of Lithuania Law on Public Information, shall be prohibited.

Amendments to the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Article 18. Other Prohibitions Related to Tobacco Products

1. The following shall be prohibited in the Republic of Lithuania:

1) The application of fixed discounts for tobacco products to the owners of such coupons, printed from the media outlets or distributed otherwise, or the likening of such coupons to other means of partial payment;

- 2) Distribution of tobacco products and/or their new samples free of charge;
- 3) Granting the buyer the right, immediately or within a certain period following the conclusion of a purchase-sale agreement, to receive a gift or a supplement to the tobacco products;
- 4) Influencing the buyers by persistently offering to purchase tobacco products by indicating an alleged reduction in price on price lists, price labels, the inside display cabinets, and by other means or measures which are in contradiction to good morals and public order;
- 5) Selling of tobacco products as part of a set of other goods sold, as well as any other goods as a mandatory accessory to the tobacco products for sale;
- 6) Giving out tobacco products as lottery, competition, sports competition or game prizes, or in conjunction with them;
- 7) Organizing games or competitions and lotteries, which promote the acquisition and/or the use of tobacco products;
- 8) Manufacturing and/or sale of toys, foodstuff and other goods the designs of which mimics tobacco products or their single packets;

Amendments to Items of the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

- 9) Selling other goods (non-tobacco products and associated products), branded with the trademarks of tobacco products;

Amendments to Items of the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

- 10) Using persons under 18 years of age for promotional activities associated with the acquisition and/or use of tobacco products and associated products.

Amendments to Items of the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

2. Legal entities or branches of foreign legal entities manufacturing tobacco products or whose principal activity is the sale of tobacco products shall, in the Republic of Lithuania, be prohibited from sponsoring events intended for persons under 18 years of age, television and radio programs, as well as activities and events involving several states or which are conducted in several states, or by any other means which may have an impact outside the territory of the Republic of Lithuania.

Amendments to the Article:

No. [X-390](#), 11/15/2005, *Official Gazette*, 2003, No. 142-5105 (12/3/2005)

No. [XI-2102](#), 6/21/2012, *Official Gazette*, 2003, No. 78-4024 (7/4/2012)

Article 19. Restriction on the Usage of Tobacco Products

1. It shall be prohibited to smoke (consume tobacco products and electronic cigarettes) in the Republic of Lithuania:

- 1) At all educational and social services establishments providing social care and/or social guardianship services for children, at health care facilities and in their surrounding territories;

and also in premises where sport competitions and other events take place;

- 2) At work places located indoors. Special premises (places) may be set aside at businesses, institutions and organizations where smoking shall be permitted. The requirements for fitting out and operating smoking premises (places) shall be determined by the Government of the Republic of Lithuania or its authorized institution;

- 3) In common-use residential and other common areas where non-smokers may be forced to

breathe tobacco smoke-polluted air;

- 4) In all types of public transport, with the exception of long-distance trains where individual cars shall be designated for smokers and non-smokers, as well as on aircraft where separate places shall be designated for non-smokers and smokers;

- 5) In restaurants, cafés, bars and other establishments catering to the public, clubs, discotheques, internet cafés (internet clubs, etc.), casinos, slot machines or bingo halls and other leisure venues, at premises where sporting events or other events take place, or at other premises offering services to people, with the exception of cigar or pipe clubs specially fitted out for this

purpose. The procedures for the fitting out of cigar and/or pipe clubs shall be determined by the Government of the Republic of Lithuania or its authorized institution;

6) Inside vehicles if there are any persons under 18 years of age and/or pregnant women.

Amendments to paragraphs of the Article:

No. [XII-1905](#), 25/06/2015, published in the RLA on 02/07/2015, law code 2015-10695

2. Repealed on 1/1/2007.

3. Municipal councils shall have the right to prohibit smoking in public (parks, squares, etc.) and other areas falling under the competence of their management.

4. The management bodies of legal persons shall ensure that their employees, customers being served and visitors are not forced to breathe the air polluted by tobacco smoke, as well as ensure that warnings or signs about a ban on smoking are placed in clearly visible areas, that special smoking rooms (places) are installed, and the markings or signs indicating them are put up.

5. Persons under 18 years of age shall be prohibited from smoking (consuming) tobacco products or from possessing them in the Republic of Lithuania.

Supplemented with paragraph of an Article:

No. [XII-1648](#), 23/04/2015, published in the RLA on 30/04/2015, law code 2015-06525

6. Sub-paragraphs 3 and 5 of Article 1 of the Law herein shall not be applicable to innovative smokeless tobacco products.

Supplemented with paragraph of an Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Amendments to the Article:

No. [X-605](#), 5/11/2006, *Official Gazette*, 2006, No. 61-2175 (5/31/2006)

No. [X-1637](#), 6/26/2008, *Official Gazette*, 2003, No. 76-3006 (7/5/2008)

Article 20. Tobacco Products and Determining the Minimum Subsistence Level

Inclusion of tobacco products in the minimum set of foodstuff and non-food products for the calculation of the standard of living shall be prohibited.

SECTION FOUR

MONITORING OF TOBACCO PRODUCTS, PUBLIC AWARENESS AND EXCHANGE OF INFORMATION AND THE PLANNING OF MEASURES FOR TOBACCO CONTROL

Modification to the name of the Section:

No. [XII-469](#), 7/2/2013, *Official Gazette*, 2013, No. 79-3990 (7/2/2013)

Article 21. Monitoring of the Use of Tobacco Products, and Their Damage to Health and the Economy

The monitoring of the use of tobacco products and their damage to health and the economy in the Republic of Lithuania shall be carried out in the manner prescribed by the Government of the Republic of Lithuania.

Article 22. Public Awareness of Tobacco Products and the Damage to Health Caused by Their Usage

1. Schools implementing formal education shall address in the contents of the curriculum of the general education program the issues regarding the harmful effects on the health caused by the use of tobacco products, an environment conducive to health, which prevents the harm caused by smoking and healthy lifestyle.

2. The Ministry of Health, having received from an institution authorized by the Government of the Republic of Lithuania, a report, submitted in accordance with the requirements set out in Article 9 of the Law herein, on the composition of the tobacco products intended for sale in the Republic of Lithuania, as well as information regarding the results of the tests referred to in Article 4(3) of the Law herein, shall ensure that such information and the list of ingredients of every tobacco product, listing the quantities of tar, nicotine and carbon monoxide, are accessible and distributed by all appropriate means to the consumers. The information referred to in paragraph herein shall be disseminated without violating the protection requirements of the formulas of particular tobacco products, which constitute a trade secret.

Article 23. Exchange of Information with the Institutions of the European Union

Competent authorities authorized by the Government of the Republic of Lithuania, shall, for the purposes of maintaining relations with the European Union, and in cooperation with the institutions of the European Union, and by implementing the obligations of the Republic of Lithuania referred to in the Law herein, or at the request of the Commission of the European Communities, provide all the necessary information.

Article 24. Planning of the Measures of Tobacco Control

The Government of the Republic of Lithuania, the ministries, governmental and other authorities which have been entrusted by the legislation to draw up strategic planning documents, shall, in order to implement the objectives of the Law herein, provision the measures for tobacco control in their strategic planning documents. In order to implement the objectives of the Law herein, municipal authorities shall provide measures for tobacco control in the municipal strategic development and/or municipal strategic action plans.

Amendments to the Article:

No. [XII-469](#), 7/2/2013, *Official Gazette*, 2013, No. 79-3990 (7/2/2013)

CHAPTER IV**SUPERVISION OF TOBACCO PRODUCTS-RELATED ACTIVITIES AND LIABILITY FOR VIOLATION OF THE LAW HEREIN**

Modification to the title of the Chapter

No. [XI-2102](#), 6/21/2012, *Official Gazette*, 2003, No. 78-4024 (7/4/2012)

Change to the title of the Changed the title of Chapter:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

Article 25. Supervision of Tobacco Products-Related Activities, Liability for Violating the Law Herein and Confiscation and Destruction of Tobacco Products

1. Supervision of activities related to tobacco products shall, in accordance with the provisions of the Republic of Lithuania Law on Public Administration, based on their competence, be carried out by the Drugs, Tobacco and Alcohol Control Department, State Consumer Rights Protection Authority, municipal executive authorities, State Tax Inspectorate, customs, police and other state supervisory and law enforcement authorities.

Amendments to paragraphs of the Article:

No. [XII-1868](#), 25/06/2015, published in the RLA on 03/07/2015, law code 2015-10769

2. Natural persons shall be held responsible for the violations of the Law herein in the manner prescribed in the Republic of Lithuania Code of Administrative Offences and the Criminal Code of the Republic of Lithuania.

3. Contraband or falsified tobacco products sold, stored or transported in the Republic of Lithuania, tobacco products without special markings - tax bands, as well as tobacco products the purchase of which cannot be verified by legally valid documents or which have been stored or sold without a license, shall be confiscated in accordance with, respectively, the Republic of Lithuania Code of Administrative Offences or the Criminal Code of the Republic of Lithuania.

4. Confiscated tobacco products shall be destroyed in the manner prescribed by the Government of the Republic of Lithuania.

Amendments to the Article:

No. [X-699](#), 6/15/2006, *Official Gazette*, 2003, No. 73-2765 (6/30/2006)

No. [XI-2102](#), 6/21/2012, *Official Gazette*, 2003, No. 78-4024 (7/4/2012)

Article 26. Economic Sanctions

1. Legal entities or branches of foreign legal entities shall be fined between two hundred and eighty-nine euros and eight hundred and sixty-eight euros for the violation of the requirements for submitting notices, a technical document and a report on the composition of tobacco products intended for sale in the Republic of Lithuania in the manner prescribed and referred to in Article 9(1)(2)(4)(10) of the Law herein, for the violation of the requirements to submit notices on the composition of

smokable herbal products or notices of innovative tobacco products in the manner prescribed and referred to in Articles 9¹⁰ and 9¹¹ of the Law herein.

Amendments to paragraphs of the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

1¹. Legal entities or branches of foreign legal entities shall be fined between two hundred and eighty-nine euros and eight hundred and sixty-eight euros for the violation of the requirements for the composition of electronic cigarettes and the requirements for quality and labelling referred to in Article 9², Article 9³(1)(2) and Articles 9⁴, 9⁵ and 9⁷ of the Law herein. For a repeat offence, committed within one year after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between eight hundred and sixty-eight and one thousand four hundred and forty-eight euros.

Supplemented with paragraph of an Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

2. Legal entities or branches of foreign legal entities shall be fined between two thousand eight hundred and ninety-six and eight thousand six hundred eighty-eight euros for the violation of the requirements (not possessing a license issued in the manner prescribed) on the manufacturing, storage and sale of tobacco products referred to in Article 10(1) or Article 14(1) of the Law herein.

Amendments to paragraphs of the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

3. Legal entities or branches of foreign legal entities shall be fined between eight hundred and sixty-eight and one thousand four hundred and forty-eight euros for the violation of the prohibition to authorize or to transfer under contract to other persons the right to engage in the licensed activity referred to in Article 12(1) of the Law herein or for the violation of the requirements for the acquisition of tobacco products, for the sale of tobacco products or tobacco referred to in Article 12(3)(4)(5) of the Law herein, for the violation of the prohibitions on the sale, storage or transportation of tobacco products referred to in Items 6 or 7 of Article 14(3) of the Law herein or for the violation of the requirements set out in Article 14(8) of the Law herein. For a repeated breach of these prohibitions and requirements, committed within one year after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between one thousand four hundred and forty-eight and two thousand eight hundred and ninety-six euros.

Amendments to paragraphs of the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

4. Legal entities or branches of foreign legal entities shall be fined between one thousand four hundred and forty-eight and two thousand eight hundred and ninety-six euros for the violation of the prohibitions on sale of tobacco for oral use, chewing tobacco, as well as snuff referred to in Article 13 of the Law herein.

Amendments to paragraphs of the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

5. Legal entities or branches of foreign legal entities shall be fined between two thousand eight hundred and ninety-six and eight thousand six hundred and eighty-eight euros with a revocation of the license for the violation of the prohibitions on the sale, storage or transportation of tobacco products, with the exception of the case set out in paragraph 6 of the Article herein, referred to in Items 1, 2, 3 or 4 of Article 14(3) of the Law herein; for the violation of the requirements on the traceability of tobacco products, where this does not incur criminal liability, referred to in Article 14¹(1)(2)(3)(4) of the Law herein.

Amendments to paragraphs of the Article:

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

6. Legal entities or branches of foreign legal entities shall be fined between eight hundred and sixty-eight and two thousand eight hundred and ninety-six euros for the violation of the prohibition on the sale, storage or transportation of tobacco products where the value of the tobacco products sold, stored or transported illegally does not exceed the 0.5 (half) of the base value of the fines and penalties referred to in Item 1 of Article 14(3) of the Law herein; legal entities or branches of foreign legal

entities shall be fined between two hundred and eighty-nine and eight hundred and sixty-eight euros for the violation of the prohibition on the sale, storage or transportation of tobacco products referred to in Item 8 of Article 14(3) of the Law herein; for a repeated breach of these prohibitions, committed within one year after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between eight hundred and sixty-eight and two thousand eight hundred and ninety-six euros. Legal entities or branches of foreign legal entities shall be fined between one thousand four hundred and forty-eight and two thousand eight hundred and ninety-six euros for the violation of the prohibition on the sale, storage or transportation of tobacco products referred to in Item 5 of Article 14(3) of the Law herein. For a repeated breach of these prohibitions, committed within one year after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between two thousand eight hundred and ninety-six and five thousand seven hundred and ninety-two euros.

7. Legal entities or branches of foreign legal entities shall be fined between two hundred and eighty-nine and eight hundred and sixty-eight euros for the violation of the prohibition on the sale of tobacco products referred to in Items 1 or 2 of Article 14(5) and Article 8⁷ of the Law herein; for a repeat offence, committed within one year after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between eight hundred and sixty-eight and one thousand four hundred and forty-eight euros. Legal entities or branches of foreign legal entities shall be fined between eight hundred and sixty-eight and one thousand four hundred and forty-eight euros for the violation of the prohibition on the sale of tobacco products referred to in Item 5 of Article 14¹(5) of the Law herein; for a repeat offence, committed at the same retail outlet within three years after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between one thousand four hundred and forty-eight and two thousand eight hundred and ninety-six euros with a revocation of the license for the same retail outlet in which a repeat offence has been discovered within three years of imposition of the fine. Legal entities or branches of foreign legal entities shall be fined between eight hundred and sixty-eight and one thousand four hundred and forty-eight euros for the violation of the prohibition on the sale of electronic cigarettes and refillable cartridges of electronic cigarettes referred to in Article 16¹(1) of the Law herein; for a repeat offence, committed at the same retail outlet within three years after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between one thousand four hundred and forty-eight and two thousand eight hundred and ninety-six euros. Legal entities or branches of foreign legal entities shall be fined between one thousand four hundred and forty-eight and two thousand eight hundred and ninety-six euros for the violation of the prohibitions on the supply to the market of tobacco products referred to in Article 4¹ of the Law herein. Legal entities or branches of foreign legal entities shall be fined between eight hundred and sixty-eight and one thousand four hundred and forty-eight euros for the violation of the requirements on the labelling of smoking tobacco products referred to in Article 9⁹ of the Law herein.

Amendments to paragraphs of the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

No. [XII-1918](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11096

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

8. Legal entities or branches of foreign legal entities shall be fined between two hundred and eighty-nine euros and eight hundred and sixty-eight euros for the violation of the prohibitions for the sale of tobacco products referred to in Article 15 of the Law herein, the prohibition of the sale of products intended for the smoking or the preparation of smoking of tobacco referred to in Article 16 of the Law herein, for the violation of the prohibition of the distance selling of electronic cigarettes and refillable cartridges referred to in Article 16² of the Law herein. For a repeat offence, committed within one year after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between eight hundred and sixty-eight and one thousand four hundred and forty-eight euros.

Amendments to paragraphs of the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

9. Legal entities or branches of foreign legal entities shall be fined between one thousand four hundred and forty-eight and two thousand eight hundred and ninety-six euros for the violation of the prohibitions on advertising referred to in Article 17(1) and Article 17¹ of the Law herein. For a repeated breach of these prohibitions, committed within one year after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between two thousand eight hundred and

ninety-six and five thousand seven hundred and ninety-two euros.

Amendments to paragraphs of the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

10. Legal entities or branches of foreign legal entities shall be fined between two hundred and eighty-nine euros and eight hundred and sixty-eight euros for the violation of the requirements for the display of information referred to in paragraphs 4 or 5 of Article 17 of the Law herein. For a repeat offence, committed within one year after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between eight hundred and sixty-eight and one thousand four hundred and forty-eight euros.

11. Legal entities or branches of foreign legal entities shall be fined between eight hundred and sixty-eight and one thousand four hundred and forty-eight euros for the violation of the requirements referred to in Article 18 of the Law herein. For a repeated breach of these prohibitions, committed within one year after the imposition of the fine, legal entities and branches of foreign legal entities shall be fined between one thousand four hundred and forty-eight and two thousand eight hundred and ninety-six euros.

12. Legal entities or branches of foreign legal entities shall be fined between two hundred and eighty-nine euros and one thousand four hundred and forty-eight euros for the violation of the requirement referred to in Item 5 of Article 19(1) of the Law herein.

13. The fines for the violations of the provisions of the Law herein shall be issued by:

1) Drug, Tobacco and Alcohol Control Department: for the violation of the provisions stipulated in Article 4¹, Article 8⁷, Article 9(1)(2)(4)(10), Articles 9³ and 9⁶, Articles 9⁹, 9¹⁰, 9¹¹, Article 10(1), Article 12(1)(3)(4)(5), Article 13, Article 14(1), Items 1, 2, 3, 4, 6 and 8 of Article 14(3), Article 14(5)(8), Article 14¹(1)(2)(3)(4), Articles 15 and 16, Article 16¹(1), Article 16², Article 17(1)(4)(5), Articles 17¹ and 18, Item 5 of Article 19(1);

2) State Consumer Rights Protection Authority: for the violation of the provisions stipulated in Articles 8⁷, 9², 9⁴, 9⁵ and 9⁷, Article 9⁹, Article 10(1), Article 13, Article 14(1) and Items 1-8 of Article 14(3) and Items 1 and 2 of Article 14(5), Article 14¹(1)(2)(3)(4), and Items 8 and 9 of Article 18(1);

3) State Tax Inspectorate: for the violation of the provisions stipulated in Items 1, 4 and 8 of Article 14(3) and Article 14¹(1)(2)(3)(4);

4) Municipal executive authorities: for the violation of the requirements of retail outlets stipulated in Article 10(1) and Article 14(1), as well as for the violation of the provisions stipulated in Articles 15 and 16, Article 17(1) (outdoor advertising media) and Article 17(4)(5), and Article 18(1);

5) Heads of the police authorities or their authorized persons: for the violation of the provisions stipulated in Items 1, 2, 3 and 8 of Article 14(3) and Article 14¹(1)(2)(3);

6) Customs officers of the Republic of Lithuania: for the violation of the provisions stipulated in Items 1, 3 and 8 of Article 14(3) and in Article 14¹(1)(2)(3)(4).

Amendments to paragraphs of the Article:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

14. The institutions referred to in paragraph 13 of the Article herein shall, when issuing a fine for the violation of the Law herein according to their competence, determine the specific amount of the fine by taking into account the nature of the violation and any mitigating or aggravating circumstances. Where there are any mitigating circumstances, the fine imposed shall not exceed the average of the economic sanction imposed for the offence committed, while where there are aggravating circumstances, the fine shall be at least the average of the economic sanction imposed for the offence committed. Where there are mitigating or aggravating circumstances, the fine shall be issued taking into account the number of such circumstances and their significance. The reasoning for the reduction or an increase of the fine shall be provided in the decision by the institution issuing the fine for the violation of the requirements set out in the Law herein.

Amendments to paragraphs of the Article:

No. [XII-1526](#), 23/12/2014, published in the RLA on 31/12/2014, law code 2014-21287

15. Mitigating circumstances shall be considered to be a voluntary prevention of the harmful effects of the violation committed, assistance to the competent authorities in the investigation, compensation for damages or the elimination of damage carried out by the legal entities or branches of

foreign legal entities who have committed an offence. Aggravating circumstances shall be considered to be obstruction of the investigation, concealment of the violation committed, the continuation of the violation despite an order issued by a competent authority to cease illegal activities carried out by legal entities or branches of foreign legal entities. The institution issuing the fine may accept other circumstances not listed in the paragraph herein as mitigating or aggravating circumstances.

Amendments to paragraphs of the Article:

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

Amendments to the Article:

The Constitutional Court of the Republic of Lithuania, [Ruling](#)

11/3/2005, Official Gazette, 2005, No. 131-4743 (11/5/2008)

No. [X-390](#), 11/15/2005, Official Gazette, 2003, No. 142-5105 (12/3/2005)

No. [X-605](#), 5/11/2006, Official Gazette, 2006, No. 61-2175 (5/31/2006)

No. [X-699](#), 6/15/2006, Official Gazette, 2003, No. 73-2765 (6/30/2006)

No. [X-1637](#), 6/26/2008, Official Gazette, 2003, No. 76-3006 (7/5/2008)

No. [XI-1180](#), 11/30/2010, Official Gazette, 2003, No. 145-7433 (12/11/2010)

No. [XI-1766](#), 12/1/2011, Official Gazette, 2011, No. 153-7203 (12/15/2011)

No. [XI-2102](#), 6/21/2012, Official Gazette, 2003, No. 78-4024 (7/4/2012)

Amendments to the Article:

No. [XII-1188](#), 07/10/2014, published in the RLA on 17/10/2014, law code 2014-14286

Article 27. Protocol of Violations of the Law and Case Processing Times

1. Having established a violation of the provisions of the Law herein, the personnel (officers) of the institutions referred to in Article 26(13) of the Law herein shall draw up a protocol the contents of which are established in the Republic of Lithuania Code of Administrative Offences.

2. The institutions referred to in Article 26(13) of the Law herein shall examine the proceedings and shall impose economic sanctions no later than two months from the date of establishment of the violation. Sanctions for the violations of the Law herein may be imposed no later than three years from the date of the violation was committed, and in the case of an on-going violation, within three years from the day it of its disclosure.

Amendments to paragraphs of the Article:

No. [XII-1526](#), 23/12/2014, published in the RLA on 31/12/2014, law code 2014-21287

Article 28. Participants to the Proceedings

1. The following shall be present during the proceedings taking place at the institution imposing economic sanctions for the violations referred to in Article 26 of the Law herein:

- 1) The person who has allegedly violated the Law herein (the alleged offender);
- 2) Other persons, at the decision of the institution referred to in Article 26(13) of the Law herein, whose interests are directly related to the proceedings examined;
- 3) Representatives of state and municipal institutions at their request;
- 4) Experts, specialist and other persons, at the decision of the institution referred to in Article 26(13) of the Law herein.

2. Persons referred to in Items 1 and 2 of the paragraph of the Article herein shall in the Law herein be referred to as parties to the proceedings.

3. Parties to the proceedings may be represented by their authorized representatives.

Article 29. Notice of the Opening of the Investigation and the Proceedings of the Violation of the Law Herein

1. Parties to the proceedings shall be informed in writing of the investigation initiation process pertaining to the violation of the Law herein no later than 3 working days from the initiation of the investigation activities conducted in relation to the violation (along with the information about the order the parties to the proceedings may have access to the case file and an offer to provide their explanations in writing).

2. Where at the beginning of the investigation activities conducted in relation to the violation, the person, suspected of violating the Law herein (the alleged offender) is not known, he/she shall be informed of the initiation of the investigation activities conducted in relation to the violation within 3 working days after such person has been identified.

3. The place and the time of the proceedings shall be announced to the parties to these proceedings no later than 10 working days prior to the proceedings, along with a copy of the protocol referred to in Article 27(1) of the Law herein.

Article 29¹. Rights of the Parties to the Proceedings to the Investigation and Examination of the Case Pertaining to the Violation of the Law Herein

1. Parties to the proceedings shall, during the investigation and examination of the case of the violation of the Law herein, have the right to access to the case file, give written and oral explanations, to present evidence and submit requests.

2. Parties to the proceedings may, prior to the start of the hearings, submit explanations within the deadline stated in Article 26(13) of the Law herein, which shall be at least 14 working days from the date the person who is alleged to have violated the Law herein (the alleged offender) receives a notice of the violation of the Law herein.

3. Where new evidence is submitted during the proceedings, the parties to the proceedings shall have the right to immediately access it and to submit their own explanations with regards to such evidence within 5 working days of its receipt.

4. Where the witnesses are interviewed in the proceedings, the parties to the proceedings shall also have the right to interview them. Parties to the proceedings shall also have the right to propose their own witnesses.

Supplemented by Article:

No. [XII-1526](#), 23/12/2014, published in the RLA on 31/12/2014, law code 2014-21287

Amendments to the Article:

No. [XII-1526](#), 23/12/2014, published in the RLA on 31/12/2014, law code 2014-21287

Article 30. Hearings

1. The hearings shall be public. The institutions referred to in Article 26(13) of the Law herein may on their own initiative or at the request of the parties to the proceedings declare the hearings to be conducted fully or partly *in camera*, when it is necessary to do so in order to protect the secrets of the state, for professional secrecy or commercial secrets of the parties to the proceedings.

2. The case shall be examined in oral proceedings in the presence of the parties to the proceedings and other participants.

3. Where the parties to the proceedings are not present, the case may be examined only in instances where there is enough evidence that they were informed of the place and time of the proceedings in a timely and proper manner, as well as have been given the right of access to the case file and to give explanations, and where they have not submitted any documents in support of their absence listing the reasons for failure to appear in court which the institutions referred to in Article 26(13) recognize to be valid. Holidays, business trips, other employment and similar instances shall not be considered to be an important cause of absence; absence due to an illness and the involvement of the party to the proceedings in other court cases are not normally viewed as relevant reasons for absence.

4. A notice sent by registered mail to the address of the party to the proceedings listed on the Register of Legal Entities shall be deemed to be an adequate notice of the place and the time of the examination of the proceedings, except in cases when the party to the process has indicated a different correspondence address, or where the notice has been sent to the email address listed by the party to the proceedings in the Register of Legal Entities, or when the notice has been served to the party to the proceedings against a signature at the time of establishing the violation of the Law herein.

Amendments to the Article:

No. [XII-1526](#), 23/12/2014, published in the RLA on 31/12/2014, law code 2014-21287

Article 31. Rulings Adopted Following the Review of the Case

1. The institutions referred in Article 26(13) of the Law herein shall, having examined the case, adopt a reasoned decision:

- 1) To apply the economic sanctions established by the Law herein;
- 2) To refuse to apply economic sanctions in the absence of the grounds established by the Law herein;
- 3) To close the case where the Law herein has not been violated;

- 4) To refer the case back for further investigation.

Amendments to paragraphs of the Article:

No. [XII-1526](#), 23/12/2014, published in the RLA on 31/12/2014, law code 2014-21287

2. Following the examination of the case, the ruling shall specify the following:

- 1) The name of the institution giving the ruling;
- 2) The date and place of the hearing;
- 3) Data on the offender;
- 4) The circumstances of the offence;
- 5) The evidence of the guilt of the offender on which the ruling is based;
- 6) The Article of the Law herein, establishing responsibility for the violation;
- 7) The explanation of the offender and their evaluation;
- 8) The ruling made;
- 9) The deadlines and procedures for the appeal of the ruling.

3. The decisions adopted by the institutions referred to in Article 26(13) of the Law herein shall be sent to the persons for whom these decisions were made within two working days of their adoption.

Article 32. Recovery of Fines

1. The fine imposed shall be paid to the state budget no later than one month from the date of the delivery to the offender of the decision to impose a fine, and in cases where the fine was imposed by a municipal executive body - to the budget of the aforementioned municipality.

2. Unpaid fines shall be recovered by the bailiffs carrying out the resolutions adopted by the institutions referred to in Article 26(13) of the Law herein in the manner prescribed by the Republic of Lithuania Code of Civil Procedure. The decision may be submitted for execution no later than within three years from the date of its adoption.

Article 33. Appeal of the Decisions on the Application of Economic Sanctions

1. Persons in disagreement with the decision to impose an economic sanction shall have the right to appeal it to the court in the manner prescribed by the Republic of Lithuania Law on Administrative Judicial Proceedings within one month from the date of the delivery of the decision.

2. Applying to the court shall suspend the implementation of the decision to apply an economic sanction.

3. The court examining the complaint, with regards to the nature and scope of the offence, mitigating or other significant circumstances (due to which the monetary fine for the offender would be manifestly disproportionate to the violation of the Law committed and therefore unjust) and applying the principles of justice and reasonableness, shall have the right to impose a lower fine than the minimum fines set in the respective paragraph of Article 26 of the Law herein.

Supplemented with paragraph of an Article:

No. [XII-1526](#), 23/12/2014, published in the RLA on 31/12/2014, law code 2014-21287

4. The court examining the complaint, with regards to the nature and scope of the offence, mitigating or other significant circumstances (due to which the revocation of the license of the offender would be manifestly disproportionate to the violation of the Law committed and therefore unjust) and applying the principles of justice and reasonableness, shall have the right to decide that the revocation of the license of the offender should not be applied.

Supplemented with paragraph of an Article:

No. [XII-1526](#), 23/12/2014, published in the RLA on 31/12/2014, law code 2014-21287

Amendments to the Article:

The Constitutional Court of the Republic of Lithuania, [Ruling](#) 9/17/2008, Official Gazette, 2003, No. 108-4136 (9/20/2008)

Article 34. Disputes pertaining to the violation of the Law

Disputes pertaining to the violation of the Law herein shall be dealt with in the manner prescribed by the laws of the Republic of Lithuania.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

ALGIRDAS BRAZAUSKAS

LIST OF WRITTEN WARNINGS

1. Smoking accounts for 9 out of 10 reasons for getting lung cancer.
2. Smoking causes cancer of the mouth and throat.
3. Smoking is bad for your lungs.
4. Smoking causes heart attacks.
5. Smoking causes strokes and disability.
6. Smoking causes artery blockage.
7. Smoking increases the risk of blindness.
8. Smoking is bad for teeth and gums.
9. Smoking can kill your unborn baby.
10. The smoke you exhale harms your children, family and friends.
11. If you smoke, your children will also smoke.
12. Quit smoking now - live for those close to you.
13. Smoking reduces fertility.
14. Smoking increases the risk of impotence.

Supplemented by Annex:

No. [XII-1918](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11096

IMPLEMENTATION OF THE LEGISLATION OF THE EUROPEAN UNION

1. Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation or Administrative Action in Member States concerning the pursuit of television broadcasting activities (as last amended on 30 June 1997 by the Directive of the European Parliament and of the Council 97/36/EC) (OJ 2004 *special edition*, Chapter 6, Volume 1, p. 224).

2. Directive of the European Parliament and of the Council Directive 2003/33/EC of 26 May 2003 on the approximation of the laws and other legislation of the Member States governing the advertising of tobacco products and sponsorship of tobacco (OJ 2004 *Special Edition*, Chapter 15, Volume 7, p. 460).

3. Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ 2006 L 396, p. 1).

4. Commission Directive 2012/9/EU of 7 March 2012 amending Annex I (OJ 2010 L 69, p. 15) to Directive 2001/37/EC of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products as last amended on 13 July 2015 by the Commission Directive (EC) 2015/1139 (OJ 2015 L 185, p. 15).

5. Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC (OJ 2014 L 127, p. 1).

Amendments to the Annex:

No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098

No. [XII-1918](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11096

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Amendments:

1.

Seimas of the Republic of Lithuania, Law

No. VIII-1178, 5/11/1999, Official Gazette, 1999, No. 50-1597 (6/9/1999)

LAW AMENDING AND SUPPLEMENTING ARTICLE 1, ARTICLE 2, ARTICLE 7, ARTICLE 8, ARTICLE 10, ARTICLE 11, ARTICLE 13, ARTICLE 14, ARTICLE 15, ARTICLE 18 AND ARTICLE 21 OF THE REPUBLIC OF LITHUANIA LAW ON TOBACCO CONTROL

2.

Seimas of the Republic of Lithuania, Law

No. VIII-1490, 12/21/1999, Official Gazette, 2000, No. 1-4 (1/5/2000)

LAW AMENDING AND SUPPLEMENTING ARTICLE 11 OF THE REPUBLIC OF LITHUANIA LAW ON TOBACCO CONTROL

3.

Seimas of the Republic of Lithuania, Law

No. VIII-1568, 3/16/2000, Official Gazette, 2000, No. 28-758 (4/5/2000)

LAW AMENDING AND SUPPLEMENTING ARTICLE 6, ARTICLE 8, ARTICLE 9 AND ARTICLE 21 OF THE LAW ON TOBACCO CONTROL

4.

Seimas of the Republic of Lithuania, Law

No. VIII-1830, 7/11/2000, Official Gazette, 2000, No. 61-1832 (7/26/2000)

LAW AMENDING ARTICLE 21 OF THE LAW ON TOBACCO CONTROL

5.

Seimas of the Republic of Lithuania, Law

No. IX-124, 12/21/2000, Official Gazette, 2000, No. 113-3615 (12/30/2000)

LAW AMENDING ARTICLE 12 OF THE LAW ON TOBACCO CONTROL

This law enters into force on 01 January 2001

6.

Seimas of the Republic of Lithuania, Law

No. IX-942, 6/11/2002, Official Gazette, 2002, No. 68-2757 (7/3/2002)

LAW AMENDING AND SUPPLEMENTING ARTICLE 1, ARTICLE 6, ARTICLE 8, ARTICLE 9, ARTICLE 10, ARTICLE 11, ARTICLE 18, ARTICLE 21 AND ARTICLE 29 OF THE LAW ON TOBACCO CONTROL

7.

Seimas of the Republic of Lithuania, Law

No. IX-1336, 1/28/2003, Official Gazette, 2003, No. 17-710 (2/19/2003)

LAW SUPPLEMENTING ARTICLE 11 OF THE LAW ON TOBACCO CONTROL

This law enters into force on 1 July 2003

8.

Seimas of the Republic of Lithuania, Law

No. IX-1840, 11/20/2003, Official Gazette, 2003, No. 117-5317 (2003-12-17)

IMPLEMENTATION OF THE LAW REPEALING THE LAW AMENDING THE LAW ON TOBACCO CONTROL AND THE LAW IMPLEMENTING THE REPUBLIC OF LITHUANIA LAW ON TOBACCO CONTROL

The Law herein, with the exception of Article 26(12) of the Law on Tobacco Control as laid out in Section One of the Law herein and Article 2 of the Section herein shall take effect from 1 May 2004.

The economic sanctions for legal entities provisioned in Article 26(12) of the Law on Tobacco Control as laid out in Section One of the Law herein shall be applicable from 1 May 2006.

The new version of the Law is valid from 5/1/2004

9.

Seimas of the Republic of Lithuania, Law

No. X-390, 11/15/2005, Official Gazette, 2003, No. 142-5105 (12/3/2005)

LAW AMENDING ARTICLE 2, ARTICLE 4, ARTICLE 5, ARTICLE 6, ARTICLE 8, ARTICLE 14, ARTICLE 17, ARTICLE 18 AND ARTICLE 26 OF THE LAW ON TOBACCO CONTROL

The provision in sub-paragraph 1 of Article 17(3) set out in Article 7 of the Republic of Lithuania Law on Tobacco Control regarding the trademark is valid until 31 December 2008.

10.

Seimas of the Republic of Lithuania, Law

No. X-605, 5/11/2006, Official Gazette, 2006, No. 61-2175 (5/31/2006)

LAW AMENDING AND SUPPLEMENTING ARTICLE 19 AND ARTICLE 26 OF THE LAW ON TOBACCO CONTROL

This law enters into force on 1 January 2007

11.

Seimas of the Republic of Lithuania, Law

No. X-699, 6/15/2006, Official Gazette, 2003, No. 73-2765 (6/30/2006)

LAW AMENDING ARTICLE 2, ARTICLE 11, ARTICLE 14, ARTICLE 25 AND ARTICLE 26 OF THE LAW ON TOBACCO CONTROL

12.

Seimas of the Republic of Lithuania, Law

No. X-1637, 6/26/2008, Official Gazette, 2003, No. 76-3006 (7/5/2008)

LAW AMENDING AND SUPPLEMENTING ARTICLE 10, ARTICLE 11, ARTICLE 12, ARTICLE 19, ARTICLE 26 OF THE LAW ON TOBACCO CONTROL

13.

Seimas of the Republic of Lithuania, Law

No. XI-1180, 11/30/2010, Official Gazette, 2003, No. 145-7433 (12/11/2010)

LAW AMENDING ARTICLE 11 AND ARTICLE 26 OF THE LAW ON TOBACCO CONTROL

This Law, with the exception of Article 4, shall enter into force on 1 April 2011.

14.

Seimas of the Republic of Lithuania, Law

No. XI-1566, 6/30/2011, Official Gazette, 2011, No. 86-4178 (7/13/2011)

LAW SUPPLEMENTING THE LAW ON TOBACCO CONTROL WITH ARTICLE 9(1)

This Law, with the exception of Article 3, shall enter into force on 01 August 2011.

15.

Seimas of the Republic of Lithuania, Law

No. XI-1766, 12/1/2011, Official Gazette, 2011, No. 153-7203 (12/15/2011)

LAW AMENDING ARTICLE 26 OF THE LAW ON TOBACCO CONTROL

This Law, with the exception of sub-paragraph 2 of the Article herein, shall enter into force on 1 July 2012.

16.

Seimas of the Republic of Lithuania, Law

No. XI-2102, 6/21/2012, Official Gazette, 2003, No. 78-4024 (7/4/2012)

LAW AMENDING AND SUPPLEMENTING ARTICLE 2, ARTICLE 4, ARTICLE 6, ARTICLE 8, ARTICLE 9(1), ARTICLE 11, ARTICLE 12, ARTICLE 14, ARTICLE 15, ARTICLE 17, ARTICLE 18, ARTICLE 25, ARTICLE 26 AND AMENDING THE TITLE OF CHAPTER IV OF THE LAW ON TOBACCO CONTROL

This Law, with the exception of Article 16, shall enter into force on 1 September 2012.

17.

Seimas of the Republic of Lithuania, Law

No. XII-469, 7/2/2013, Official Gazette, 2013, No. 79-3990 (7/2/2013)

LAW AMENDING THE TITLE OF SECTION 4 OF CHAPTER III AND ARTICLE 24 OF THE LAW ON TOBACCO CONTROL

This law enters into force on 1 October 2014

18.

Seimas of the Republic of Lithuania, Law

No. XII-887,5/15/2014, published in the RLA on 5/27/2014, law code 2014-05733
LAW AMENDING ARTICLE 11 OF THE REPUBLIC OF LITHUANIA LAW ON TOBACCO CONTROL
NO. I-1143
This law enters into force on 1 July 2014

Rulings of the Constitutional Court

1.

The Constitutional Court of the Republic of Lithuania, Ruling
2/13/1997, Official Gazette, 1997, No. 15-314 (2/19/1997)
ON THE COMPLIANCE TO THE CONSTITUTION OF THE REPUBLIC OF LITHUANIA OF ARTICLE 1
AND ARTICLE 30 OF THE REPUBLIC OF LITHUANIA LAW ON ALCOHOL CONTROL, ARTICLE 1,
ARTICLE 3 AND ARTICLE 11 OF THE REPUBLIC OF LITHUANIA LAW ON TOBACCO CONTROL
AND RESOLUTION NO. 179 OF 2 FEBRUARY 1996 OF THE GOVERNMENT OF THE REPUBLIC OF
LITHUANIA "ON THE CONTROL OF ALCOHOL ADVERTISING"

2.

The Constitutional Court of the Republic of Lithuania, Ruling
11/3/2005, Official Gazette, 2005, No. 131-4743 (11/5/2008)
ON THE COMPLIANCE TO THE CONSTITUTION OF THE REPUBLIC OF LITHUANIA OF ARTICLE
21(2) (16 MARCH 2000 VERSION), ARTICLE 21(3) (11 JUNE 2002 VERSION) ARTICLE 21(4) (11 MAY
1999 VERSION), ARTICLE 21(7) (11 JUNE 2002 VERSION) AND ARTICLE 26(5)(7)(14) (20 NOVEMBER
2003 VERSION) OF THE REPUBLIC OF LITHUANIA LAW ON TOBACCO CONTROL

3.

The Constitutional Court of the Republic of Lithuania, Ruling
9/17/2008, Official Gazette, 2003, No. 108-4136 (9/20/2008)
ON THE COMPLIANCE TO THE CONSTITUTION OF THE REPUBLIC OF LITHUANIA OF ARTICLE
26(5) (20 NOVEMBER 2003 VERSION), ARTICLE 26(17) (20 NOVEMBER 2003 VERSION), ARTICLE 33
(20 NOVEMBER 2003 VERSION) OF THE REPUBLIC OF LITHUANIA LAW ON TOBACCO CONTROL
AND RESOLUTION NO. 383 OF 7 APRIL 2004 OF THE GOVERNMENT OF THE REPUBLIC OF
LITHUANIA "ON THE APPROVAL OF THE LICENCING RULES OF RETAIL TOBACCO PRODUCTS
AND THE RULES OF THE SALE OF TOBACCO PRODUCTS" APPROVING ITEM 39 (18 DECEMBER
2006 VERSION) AND ITEM 40 (18 DECEMBER 2006 VERSION) OF THE RULES OF LICENCING
RETAIL OF TOBACCO PRODUCTS

Amendments:

1.

Seimas of the Republic of Lithuania, Law
No. [XII-1188](#), 07/10/2014, published in the RLA on 17/10/2014, law code 2014-14286
Law amending Article 26 of the Republic of Lithuania Law on Tobacco Control No. I-1143

2.

Seimas of the Republic of Lithuania, Law
No. [XII-1526](#), 23/12/2014, published in the RLA on 31/12/2014, law code 2014-21287
Law Amending Article 11, Article 14, Article 26, Article 27, Article 29, Article 30, Article 31 and Article 33 and
Supplementing the Republic of Lithuania Law on Tobacco Control No. I-1143 with Article 29-1

3.

Seimas of the Republic of Lithuania, Law
No. [XII-1529](#), 23/12/2014, published in the RLA on 06/01/2015, law code 2015-00098
Law Amending the title of the Republic of Lithuania Law on Tobacco Control No. I-1143, Article 1, Article 2,
Article 3, Article 14, Article 17, Article 18, Article 26, titles of Chapter II, Chapter III, Chapter IV, Section 3 of
Chapter III, the Annex and Supplementing the Law with Article 16-1, Article 16-2, Article 17-1

4.

Seimas of the Republic of Lithuania, Law
No. [XII-1648](#), 23/04/2015, published in the RLA on 30/04/2015, law code 2015-06525
Law amending Article 19 of the Republic of Lithuania Law on Tobacco Control No. I-1143

5.

Seimas of the Republic of Lithuania, Law

No. [XII-1738](#), 21/05/2015, published in the RLA on 27/05/2015, law code 2015-08130

Law amending Article 14 of the Republic of Lithuania Law on Tobacco Control No. I-1143

6.

Seimas of the Republic of Lithuania, Law

No. [XII-1594](#), 26/03/2015, published in the RLA on 13/04/2015, law code 2015-05704

Law amending Article 19 of the Republic of Lithuania Law on the Control of Tobacco, Tobacco Products and Associated Products No. I-1143

7.

Seimas of the Republic of Lithuania, Law

No. [XII-1905](#), 25/06/2015, published in the RLA on 02/07/2015, law code 2015-10695

Law amending Article 19 of the Republic of Lithuania Law on the Control of Tobacco, Tobacco Products and Associated Products No. I-1143

8.

Seimas of the Republic of Lithuania, Law

No. [XII-1868](#), 25/06/2015, published in the RLA on 03/07/2015, law code 2015-10769

Law amending Article 11, Article 25 and Article 26 of the Republic of Lithuania Law on the Control of Tobacco, Tobacco Products and Associated Products No. I-1143

9.

Seimas of the Republic of Lithuania, Law

No. [XII-1916](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11094

Law amending Article 1, Article 2, Article 10, Article 11, Article 12, Article 14 and 26 of the Republic of Lithuania Law on the Control of Tobacco, Tobacco Products and Associated Products No. I-1143

10.

Seimas of the Republic of Lithuania, Law

No. [XII-1917](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11095

Law Amending the title of the Republic of Lithuania Law on Tobacco Control No. I-1143, Article 1, Article 2, Article 3, Article 14, Article 17, Article 18, Article 26, titles of Chapter II, Chapter III, Chapter IV, Section 3 of Chapter III, the Annex and Supplementing the Law with Article 16-1, Article 16-2, Article 17-1 and amending Article 5 of the Law No. XII-1529

11.

Seimas of the Republic of Lithuania, Law

No. [XII-1918](#), 30/06/2015, published in the RLA on 07/07/2015, law code 2015-11096

Law amending Article 1, Article 2, Article 8, Article 26, the Annex and Supplementing the Law with a new Annex 1 of the Republic of Lithuania Law on the Control of Tobacco, Tobacco Products and Associated Products No. I-1143

12.

Seimas of the Republic of Lithuania, Law

No. [XII-2419](#), 09/06/2016, published in the RLA on 22/06/2016, law code 2016-17405

Law Amending Article 1, Article 2, Article 4, Article 4-1, Article 6, Article 8, Article 8-1, Article 8-2, Article 8-3, Article 8-4, Article 8-7, Article 9, Article 13, Article 15, Article 16-1, Article 16-2, Article 17, Article 17-1, Article 19, Article 26, title of Chapter II and Section 2, Annex 2 and Supplementing the Law with Article 14-1 of the Republic of Lithuania Law on the Control of Tobacco, Tobacco Products and Associated Products No. I-1143