

**ORDER issuing the General Law on Tobacco Control and which repeals and reforms various provisions of the General Health Law.**

In the margin, there is a stamp with the National Shield, that says: United Mexican States – President of the Republic.

**FELIPE DE JESÚS CALDERÓN HINOJOSA**, President of the United Mexican States, to its residents let it be known:

That the Honorable Congress of the Union has submitted to me the following

**DECREE**

“THE GENERAL CONGRESS OF THE UNITED MEXICAN STATES ORDERS:

ISSUANCE OF THE GENERAL TOBACCO CONTROL LAW WHICH REPEALS AND REFORMS VARIOUS PROVISIONS OF THE GENERAL HEALTH LAW.

**ARTICLE ONE.** General Law on Tobacco Control is issued.

**General Law on Tobacco Control**

**Title One**

**General Provisions**

**Chapter I**

**General Provisions**

**Article 1.** This law is of a public nature, and its provisions are of a public order and social interest and shall be generally observed throughout the nation and the areas where the nation exercises its sovereignty and jurisdiction. In the event of no express provision, the General Health Law shall be applied additionally.

**Article 2.** This law shall apply to the following matters:

- I. Health control of tobacco products, as well as their importation, and
- II. Protection against exposure to second-hand tobacco smoke.

**Article 3.** Consistency between the Federation and its States in matters of this law shall be made according to the corresponding provisions of the General Health Law.

**Article 4.** Orientation, education, prevention, production, distribution, commercialization, importation, consumption, publicity, promotion, sponsorship, display, verification and if

pertinent, the application of safety and health measures regarding tobacco products shall be regulated under the terms established in this law.

**Article 5.** This law has the following aims:

- I. To protect the health of the population from the harmful effects of tobacco;
- II. To protect the rights of non-smokers to live and coexist in 100% tobacco smoke-free spaces.
- III. Establish the bases for protection against tobacco smoke;
- IV. Establish the bases for production, labeling, packaging, advertising, publicizing, sponsoring, distributing, selling, consuming and using tobacco products;
- V. Institute measures to reduce tobacco consumption, particularly in youth;
- VI. Promote health promotion and education, as well as spread the knowledge of risks attributed to the consumption and exposure to tobacco smoke;
- VII. Establish general guidelines for designing and evaluating legislation and public policies based on anti-tobacco use evidence;
- VIII. Establish general guidelines for distribution and spread of information on tobacco products and their emissions, and
- IX. Any other actions that are necessary to meet their objectives.

**Article 6.** For purposes of this law, the following definitions are established:

- I. Cigarette: Small cigar of chopped leaves wrapped in a paper for smoking;
- II. Cigar or “Puro”: Roll of tobacco leaves that is lit at one end and sucked or smoked at the other;
- III. Contents: The list composed of ingredients, such as different tobacco components like cigarette tipping paper, ink to mark the brand, cigar paper, filter, filter wrapper and cigar paper adhesive;
- IV. Health control of tobacco products: Group of actions for orientation, education, display, verification and if pertinent, the application of safety measures and sanctions exercised by the Department of Health and other competent authorities pursuant to what is established by this law, its regulations, official Mexican norms and other applicable provisions. Includes a range of supply, demand and harm reduction strategies that aim to improve the health of a population by eliminating or reducing its

consumption of tobacco products and exposure to secondhand tobacco smoke;

V. Citizen complaint: Notification made to the proper authorities by any person in regards to lack of compliance with the dispositions contained in this Law, its regulations, and other applicable laws;

VI. Distribution: The act of selling, offering for sale, displaying for sale, giving, donating, gifting, furnishing the exchange, conveying, consigning, delivering, providing or transferring possession for commercial purposes or offer to do so, whether for valuable consideration or for free;

VII. Brand Element: The use of corporations, company names, brands, logos, designs, or any type of visual or auditory symbol that identifies tobacco products;

VIII. Emission: The substance produced and released when a tobacco product is lit or heated. Includes nicotine, tar, carbon monoxide and the chemical composition that forms part of tobacco smoke. In the case of smokeless tobacco products for oral use, it is understood as all substances released during the process of chewing or sucking and in the case of tobacco products for nasal use, are all substances released during the process of inhalation or aspiration.

IX. External packaging and labeling: Term that applies to all packaging and labeling used in retail sale of tobacco products;

X. 100% tobacco smoke-free area: That physical public or private area, open or closed, or any interior work place or public transportation, where by reason of public order and social interest, it is forbidden to smoke, consume or light any tobacco product;

XI. Tobacco Smoke: Refers to emissions from tobacco products caused by lighting or consuming any tobacco product and which affects nonsmokers;

XII. Tobacco industry: Made up of manufacturers, distributors, vendors and importers;

XIII. Legislation and policy based on scientific evidence: The conscientious, explicit and critical use of the best information and knowledge available on which to base public policy and legislative action;

XIV. Law: General Law on Tobacco Control;

XV. Warning label: A sentence or message, written, printed and visible on the packaging, on the label, the package, advertising, the promotion of tobacco products and other advertising as established by the Secretariat pursuant to this Law, its regulations, and other applicable laws;

XVI. Package: The packaging or wrapping in which a tobacco product is sold or displayed in retail stores, including the box or carton containing smaller packets;

XVII. Tobacco Sponsorship: All ways of contributing to any act, activity, or individual with the goal or effect of promoting tobacco products and consumption of tobacco;

XVIII. Pictogram: Health warning based on photographs, drawings, marks, graphics, figures or printed symbols representing an object or idea without which the pronunciation of such an object or idea is kept in mind;

XIX. Tobacco product: Any substance or manufactured good prepared totally or partially using tobacco leaves as raw materials and aimed at being smoked, sucked, chewed, or used as snuff;

XX. Produce: Action and effect of creating tobacco products;

XXI. Health promotion: Actions aimed at developing attitudes and behaviors that promote healthy lifestyles in families, at work, and in the community;

XXII. Promotion and publicity of tobacco products: All types of communication, recommendation, or commercial action with the purpose or effect of promoting tobacco products, trade name or manufacturer, to sell a tobacco product or encourage its consumption by any means, including direct advertising, discounts, incentives, rebates, free distribution, the advertising of trade name elements through events and related products, through any means of communication or distribution;

XXIII. Secretariat: The Secretariat of Health;

XXIV. Supply: Act of commerce that consists of providing the market with goods vendors need, governed by applicable business laws;

XXV. Tobacco: The “Nicotina Tabacum” plants and its derivatives, in natural or modified form, in its different presentations, used for smoking, sucking, chewing, or snuffing;

XXVI. Examiner: Person authorized by the competent authority to carry out oversight functions and activities in order to enforce this law, its regulations and other applicable laws.

## **Chapter II**

### **Authoritative Powers**

**Article 7.** The Secretariat shall have the responsibility to apply this law in coordination with the Secretariat of Public Education, the Secretariat of Tax and Public Credit, the Secretariat of the Economy, the Attorney General of the Republic, and other responsible authorities.

**Article 8.** The Secretariat shall apply this law, its regulations and other applicable provisions.

**Article 9.** The Secretariat shall coordinate the actions carried out against tobacco use, promote and organize services for early detection, orientation and care for smokers who wish to quit, research the causes and consequences, promote health considering the promotion of attitudes and behaviors that promote healthy lifestyles in the family, workplace, community; and will develop permanent actions to dissuade and prevent the consumption of tobacco products mainly by children, adolescents, and vulnerable groups.

**Article 10.** For the purposes of the above, the Secretariat will establish the guidelines for executing and evaluating the Program against Tobacco Use, which shall include, among others, the following actions:

I. Health promotion;

II. The diagnosis, prevention, treatment and rehabilitation of tobacco addiction and of the afflictions resulting from tobacco use;

III. Education on the effects of tobacco use on health, aimed especially at the family, children and adolescents, through individual, collective, or mass communication methods, including orienting the population to abstain from smoking inside those smoke-free spaces established by this Law, its regulations, and other applicable laws;

IV. The periodic creation of a follow-up program and evaluation of goals and achievements of the Anti-Tobacco Program including, at a minimum, tobacco-related behaviors and their impact on health;

V. The design of programs, cessation services and treatment options that help to quit smoking combined with counseling and other interventions; and

VI. The design of publicity campaigns that promote cessation and decrease the probabilities of initiating consumption of tobacco products.

**Article 11.** The following aspects will be taken into account in order to put Anti-Tobacco Program actions into practice:

I. The generation of scientific evidence on the causes and consequences of tobacco use and of the program evaluation;

II. Family education to prevent tobacco use by children and adolescents;

III. Information monitoring and exchange;

IV. Scientific, technical and legal cooperation and provision of special counseling.

**Article 12.** The Secretariat, pursuant to the provisions of this Law, its regulations, and other applicable laws, shall have the following powers:

I. Coordinate all actions regarding control of tobacco products and tobacco accessory products;

II. Establish methods of analysis to assess that manufacturing of tobacco products and its accessories is done in accordance with applicable provisions;

III. Determine through provisions of a general nature the information that manufacturers must provide to corresponding authorities and the public regarding tobacco products and their emissions;

IV. Through provisions of a general nature, determine all characteristics, specifications and procedures related to packaging and labeling of tobacco products, including what relates to individual packages, packets and wholesaling;

V. Issue the corresponding authorizations for the production, manufacture and importation of tobacco products;

VI. Issue the provisions for placement and content of signs that will be posted in places where there are sales of tobacco products;

VII. Formulate provisions regarding 100% tobacco-free spaces;

VIII. Promote 100% tobacco smoke-free spaces and education programs for a tobacco smoke-free environment;

IX. Determine through provisions of a general nature the requirements or guidelines for importation of tobacco products;

X. Promote the participation of civil society in executing the No Smoking Program, and

XI. Propose public policies for control of tobacco and its products to the Federal Branch based on scientific evidence and determination of health risk.

**Article 13.** Companies that produce, import or sell tobacco products shall have the obligation of submitting information regarding the content of the tobacco products, ingredients used, emissions and their health effects to the Secretariat pursuant to the applicable provisions and making these public to the general public.

## **Title Two**

### **Trade, Distribution, Sales and Supplying of Tobacco Products**

#### **Single Chapter**

**Article 14.** Any establishment that produces, fabricates or imports tobacco products shall require a health license pursuant to the requirements established by this law and other applicable provisions.

**Article 15.** Whoever trades, sells, distributes or supplies tobacco products shall have the following obligations:

- I. Keep an announcement located inside the establishment with indications regarding the prohibition of trade, sale, distribution or supply to minors;
- II. Require people who appear to acquire tobacco products to prove their legal age with an official photo ID, without which the above may not be carried out;
- III. Display the warning labels, images and pictograms authorized by the Secretariat within the establishments, and
- IV. Others referring to the trade, supply, distribution and sale of tobacco products as established in this Law, in the General Health Law, and in all applicable provisions.

This article shall be subject to the provisions of the corresponding regulations and other applicable provisions.

**Article 16.** It is prohibited to:

- I. Trade, sell, distribute or supply cigarettes by the unit or in packages of fewer than fourteen or more than twenty-five units, or cut tobacco in bags of fewer than ten grams;
- II. Place cigarettes in spots that let the consumer take them directly;
- III. Trade, sell, distribute or display any tobacco products through automatic distributors or vending machines;
- IV. Trade, sell or distribute to the final consumer any tobacco product by telephone, mail, Internet or any other means of communication;
- V. Distribute tobacco products to the general public for free and/or for promotional purposes, and
- VI. Trade, sell, distribute, display, promote or produce any object that is not a tobacco product which contains some of the brand elements or any type of design or auditory sign that identifies it with tobacco products.

**Article 17.** The following activities are banned:

- I. The trade, distribution, donation, gifting, sale and provision of tobacco products to minors;

II. The trade, distribution, donation, gifting, sale and provision of tobacco products in public and private educational institutions of basic and high school education, and

III. Employing minors in the activities of commerce, production, distribution, supply and sales of these products.

### **Title Three**

#### **Tobacco Products**

##### **Chapter I**

##### **Packaging and Labeling**

**Article 18.** On tobacco product packages and all their external packaging and labeling, pursuant to the provisions of this Law, its regulations and other applicable provisions, there must be warning legends, pictograms and images that show the harmful effects of the use of tobacco products which shall also be subject to the following provisions:

I. They will be formulated and approved by the Secretariat;

II. They shall be printed in rotating form directly on the packages,

III. They shall have a high preventative impact, be clear, visible, and legible and must not be obstructed by any means;

IV. They must occupy at least 30% of the front face, 100% of the back face and 100% of one of the sides of the package and the box;

V. Pictograms or images must be incorporated onto 30% of the front face of the box;

VI. 100% of the back face and 100% of the side face will be aimed at the health message, which will similarly rotate and must include a phone number for information regarding prevention, cessation and treatment of illnesses or effects resulting from the use of tobacco products,

VII. The legends must be written and printed without invoking or making any reference to any legal provision directly on the packaging or labeling.

The Secretariat will publish in the Official Gazette of the Federation the provisions for the creation, approval, application, use, and incorporation of the labels, images, pictograms and health messages that will be included on tobacco product packages and on all external labeling and packaging of such, pursuant to the provisions of this law.

**Article 19.** In addition to the provisions in the previous article, all tobacco product packages and all external packaging and labeling of same must contain information on the

contents, emissions and risks pursuant to applicable provisions. The competent authorities must be coordinated for such purposes.

**Article 20.** On tobacco product packages, and on all their external packaging and labeling, no messages related to these products shall be promoted falsely, erroneously, or deceitfully that lead to error with respect to their characteristics, health effects, risks or emissions.

No terms, descriptive elements, manufacturing or business trademarks, figurative signs, or anything else shall be used to create the false impression that a specific tobacco product is less harmful than another.

By way of illustration but not limitation, such expressions as "low tar content", "light", "ultralight", or "smooth" are prohibited.

**Article 21.** The following statement must appear on all tobacco product packaging and all their external labeling and packaging for their commercialization within the nation: "For sale exclusively in Mexico".

**Article 22.** The warning labels and text information established in this chapter must appear in Spanish on all tobacco packages and products and on their all external packaging and labeling.

This requirement shall be applicable for marketing within the national territory.

## **Chapter II**

### **Publicity, Promotion and Sponsorship**

**Article 23.** It is prohibited to carry out any form of sponsorship as a means of placing the elements of any brand of tobacco products or that promotes the purchase and use of tobacco products by the population.

Publicity and promotion of tobacco products may only be aimed at adults through adult magazines, personal communication by mail or within establishments exclusively for adult access.

The industry, proprietors and/or administrators of establishments where publicity or promotion of these products is carried out must show the legal age of their recipients.

**Article 24.** It is prohibited to use incentives to promote the purchase of tobacco products, and there can be no distribution, sale or direct or indirect giveaways of any promotional article showing the name or logo of tobacco products.

**Article 25.** Publications of the internal communications for distribution among employees of the tobacco industry shall not be considered publicity or promotion for the purposes of this Law.

## **Chapter III**

### **Use and Protection Against Tobacco Smoke Exposure**

**Article 26.** It is prohibited for anyone to use or have any tobacco product lit in 100% smoke-free spaces, such as public and private schools of basic education and high schools.

Inside and outside such places signs, logos and emblems established by the Secretariat will be affixed.

**Article 27.** In places with public access or interior public or private work areas, including universities and institutions of higher education, there must be areas exclusively for smoking, which must conform to regulatory provisions:

I. Be located in the open air, or

II. In isolated interior spaces using mechanisms that avoid the transfer of particulates to 100% smoke-free areas and that are not mandatory pass-throughs for non-smokers.

**Article 28.** The owner, administrator or person responsible for the 100% tobacco smoke-free area shall be required to enforce respect of the smoke free-areas established in the above articles.

**Article 29.** In all 100% tobacco smoke-free spaces and in areas exclusively for smoking, signs shall be posted in a visible location that clearly indicating their nature, and a telephone number must be included for complaints on non-compliance with this Law, its regulations, and other applicable provisions.

## **Title Four**

### **Measures to Combat Illegal Production and Illicit Commerce of Tobacco Products**

#### **Single Chapter**

**Article 30.** The Secretariat shall oversee that tobacco products and accessory tobacco products being imported comply with this law, its regulations and other applicable provisions.

In cases where the imported products do not meet requirements or characteristics established by corresponding legislation, the Secretariat shall apply the corresponding safety measures pursuant to the General Health Law.

**Article 31.** Prior health permission is required from the Secretariat in order to import tobacco products.

Article 32. Importation of tobacco products and tobacco product accessories shall be subject to the following bases:

- I. Importers and distributors must be domiciled in Mexico;
- II. Tobacco products and tobacco accessory products may be imported so long as the importer displays the documentation established in the regulations of this Law, and
- III. The Secretariat may sample and analyze imported tobacco products and tobacco accessory products for the purpose of verifying compliance with the applicable provisions. When the sample product is found not to meet cited provisions, the Secretariat shall proceed pursuant to the provisions of this Law, its regulations and other applicable provisions.

**Article 33.** Through its examiners and in coordination with the corresponding authorities, the Secretariat is empowered to intervene at seaports and airports, on the borders and generally, at any location nationally, related to trafficking of tobacco products and tobacco accessory products, for purposes of identification, control and health disposition.

**Article 34.** The Secretariat shall participate in the activities performed for the purpose of preventing the commerce, distribution, sale and illicit fabrication of tobacco products and tobacco accessory products.

## **Title Five**

### **Citizen Participation**

#### **Single Chapter**

**Article 35.** The Secretariat shall promote civil society participation in the prevention of smoking and the control of tobacco products through the following actions:

- I. Promotion of 100% tobacco smoke-free areas;
- II. Promotion of community health;
- III. Health education;
- IV. Researching health and creating scientific evidence on the matter of tobacco control;
- V. Dissemination of legal dispositions in the matter of controlling tobacco products;
- VI. Coordination with national and state anti-addiction councils, and
- VII. Auxiliary actions that apply to this Law, such as citizen complaints.

## **Title Six**

### **Fulfillment of this Law**

#### **Chapter I**

##### **General Provisions**

**Article 36.** Based on provisions of the General Health Law and other applicable provisions, the Secretariat shall be responsible for:

- I. Issuing authorizations required by this Law;
- II. Revoking said authorizations;
- III. Overseeing compliance with this Law, and
- IV. Carrying out the procedural activities to apply safety measures and sanctions.

The Secretariat shall issue the corresponding provisions in order to comply with the above.

#### **Chapter II**

##### **Health Oversight**

**Article 37.** The health inspectors shall be named and trained by the Secretariat, pursuant to the provisions of the General Health Law and applicable provisions.

**Article 38.** Health inspectors shall perform activities of training, education, verification of the provisions of this Law, of the General Health Law and of other provisions on health control of tobacco products.

**Article 39.** Health inspectors may perform regular and special visits, whether as a result of citizen complaints or other motive, pursuant to the provisions of the General Health Law, of this Law and other applicable provisions.

**Article 40.** The work of the health inspectors in performing their duties, as well as that of the federal, state, or municipal authorities, shall not be impeded under any circumstance.

**Article 41.** Health oversight activities carried out by the competent authorities in order to verify compliance with the provisions of this Law, its regulations and other applicable provisions, shall be performed pursuant to the procedures established in the General Health Law.

#### **Chapter III**

## **Citizen Reporting**

**Article 42.** Any person may file a complaint before the corresponding authority in the event that non-compliance with any of the obligations established in this Law, its regulations and other applicable provisions is observed.

**Article 43.** The competent authority shall safeguard the identity and integrity of the complainant.

**Article 44.** The Secretariat shall put into operation a free telephone number so that citizens can make reports, complaints and suggestions regarding the 100% tobacco smoke-free spaces, as well as non-compliance with this Law, its regulations and other applicable provisions.

## **Title Seven**

### **Sanctions**

#### **Single Chapter**

**Article 45.** Non-compliance with the precepts of this Law, its regulations and other provisions emanating from it shall be administratively sanctioned by the health authorities, notwithstanding the corresponding penalties when these may constitute crimes.

**Article 46.** Administrative sanctions may be:

- I. Reprimand with a warning;
- II. Fine;
- III. Temporary or definitive closure, which may be partial or total, and
- IV. Detention for up to thirty-six hours.

**Article 47.** When imposing a sanction, the health authority shall provide a basis and motive for the resolution, bearing in mind:

- I. The damages produced or that could be produced to people's health;
- II. The seriousness of the breach;
- III. The socioeconomic conditions of the offender;
- IV. If the offender is a repeat offender, and
- V. The benefit the offender obtains as a result of the breach.

**Article 48.** A fine will be imposed for:

I. Up to 100 times the minimum general daily salary prevailing in the particular economic area for non-compliance with the provisions contained in Article 26 of this Law;

II. From 1,000 up to 4,000 times the minimum general daily salary prevailing in the particular economic area for non-compliance with the provisions contained in Articles 14, 15, 16, 27, and 28 of this Law.

III. Between 4,000 and 10,000 times the minimum general daily salary prevailing in the particular economic area for non-compliance with the provisions contained in Articles 13, 17, 18, 19, 20, 21, 22, 23, 24, 31, and 32 of this Law.

**Article 49.** In case of repeat offenses, the amount of the corresponding fine will be doubled. For purposes of this chapter, repeat offenses is understood to be where the offender does not fulfill the same provision of this Law or its regulations two or more times within the period of one year, from the date on which he is notified of the immediately preceding breach.

**Article 50.** The amount collected resulting from the fines shall be aimed at the No-Smoking Program and other priority health programs.

**Article 51.** Temporary or definitive, partial or total closure shall be ordered depending on the seriousness of the breach and the features of the activity or establishment pursuant to that shown in Articles 425 and 426 of the General Health Law, supplementary orders of application to this Law.

**Article 52.** A penalty of detention of up to 36 hours shall be carried out pursuant to the stipulations of Article 427 of the General Health Law, supplementary orders of application to this Law.

**Article 53.** When, for purposes of applying this Law, the commission of one or several crimes becomes possible, the corresponding authority shall file the report or dispute with the Public Ministry, notwithstanding the corresponding administrative sanction that may ensue.

**Article 54.** Health inspectors shall be subject to the Federal Law of Administrative Responsibilities for Public Servants.

**Article 55.** Provisions of the General Health Law shall be applied to all aspects regarding procedures for the application of safety measures and sanctions and resources for non-compliance and prescription.

## **TRANSITORY PROVISIONS**

**ONE.** This Law will take effect 90 days after its publication in the Official Gazette of the Federation.

**TWO.** The Regulation on Tobacco Use shall remain in force until the regulatory provisions of this Law are issued.

**THREE.** In terms of the provisions of Articles 26 and 27 of this Law, owners, administrators or those responsible for establishments who intend to have areas exclusively for smoking will have 180 days after publication of this Law in the Official Gazette of the Federation to carry out the modifications or adjustments necessary in said areas.

In the event that the owners, administrators or those responsible for the establishments referred to in the above paragraph do not have the economic possibilities or infrastructure needed to carry out the designated modifications or outfitting, they may contact the Secretariat within the period specified in the above paragraph in order to sign the agreements or administrative instruments necessary that will allow them to comply with this Law.

**FOUR.** Actions which, in compliance with the provisions of this instrument and by reason of its competency, are the responsibility of the offices and entities of the Federal Public Administration, must be bound by the funds approved in the Earnings Law of the corresponding fiscal year, as well as the budgetary availability approved for such purposes in the Budgetary Expenditures of the Federation and provisions of the Federal Budgetary Law and Treasury Responsibility.

**ARTICLE TWO.** Articles 188, 189, 190, 275, 276, 277, 277 bis, 308 bis and 309 bis of the General Health Law are repealed, as well as all regulations that oppose this order, to remain as follows:

Article 188. Repealed.

Article 189. Repealed.

Article 190. Repealed.

Article 275. Repealed.

Article 276. Repealed.

Article 277. Repealed.

Article 277 bis. Repealed.

Article 308 bis. Repealed.

Article 309 bis. Repealed.

**ARTICLE THREE.** Articles 3, Roman Numeral XIV; 286, 301, 308 second to last paragraph, 309 and 421 of the General Health Law are modified to remain as follows:

**Article 3.-** ...

I. a XIII. ...

XIV. **Prevention**, orientation, control and oversight on nutrition, **respiratory illnesses, cardiovascular diseases and those attributable to smoking;**

XV. to XXX. ...

**Article 286.** In the matter of food, non-alcoholic beverages, alcoholic beverages, perfume products, health and beauty products, as well as those materials used in their preparation, through an agreement published in the Official Gazette of the Federation and based on the health risks, the Secretary of Health shall determine which products or raw materials require prior authorization for importation.

**Article 301.** The Secretariat of Health shall authorize the publicity done on the existence, quality and features, as well as promote the direct or indirect use, sale or consumption of, health supplies, alcoholic beverages, and products or services determined in this Law's regulations on the matter of publicity.

**Article 308.** Publicity for alcoholic beverages must fit following requirements:

I. to VIII. ...

The Secretariat of Health may excuse the requirements set forth in Roman Numeral VIII of this Article, when in the message itself and based on the circumstances, quality, impact and length, moderation is promoted in the consumption of alcoholic beverages, especially by children, adolescents, and young people and warns against the health damages caused by abuse of alcoholic beverages.

...

**Article 309.** The times when radio and television stations and movie theaters may transmit or project, as applicable, advertising for alcoholic beverages, shall conform to what is established in the General provisions.

**Article 421.** A fine that is equivalent to between six thousand and twelve thousand times the minimum general daily salary prevailing in the particular economic area shall be imposed for violation of the provisions contained in Articles 67, 101, 125, 127, 149, 193, 210, 212, 213, 218, 220, 230, 232, 233, 237, 238, 240, 242, 243, 247, 248, 251, 252, 255, 256, 258, 266, 306, 308, 309, 315, 317, 330, 331, 332, 334, 335, 336, 338, last paragraph, 342, 348, first paragraph, 350 bis 1, 365, 367, 375, 376, 400, 411 and 413 of this law.

## TRANSITORY ARTICLES

**ONE.** This Law shall take effect 90 days following its publication in the Official Gazette of the Federation.

**TWO.** The regulations to which this law refers shall be issued no later than 180 days after their publication in the Official Gazette of the Federation.

**THREE.** All procedures, administrative resources and other matters related to the subject to which this law refers which are initiated before this law goes into effect shall be processed and resolved pursuant to the provisions in effect at that time.

**FOUR.** The government of the Federal District, the governments of the Federal entities and municipalities must adapt their laws, regulations, edicts and other legal provisions pursuant to their own jurisdictions to be consistent with this Law.

**FIVE.** In the Official Gazette of the Federation the Secretariat will publish the provisions for the formulation, approval, application, use, and inclusion of the health labels, images, pictograms and health messages to be included on tobacco product packages and all their external labeling and packaging, pursuant to the provisions of this Law, no later than 180 days following its publication in the Official Gazette of the Federation.

**SIX.** All tobacco packages fabricated in or imported to Mexico must show the new health warnings within 9 months from the date on which the Secretariat publishes the health warning designs in the Official Gazette of the Federation.

México, D.F., February 26, 2008. – Rep. **Ruth Zavaleta Salgado**, President.- Sen. **Santiago Creel Miranda**, President.- Rep. **Ma. Mercedes Maciel Ortiz**, Secretary.- Sen. **Gabino Cué Monteagudo**, Secretary.- Signatures."

In fulfillment of the provisions of Roman Numeral 1 of Article 89 of the Political Constitution of the United Mexican States and for its due publication and observance, I hereby issue this Decree at the Presidential Residence in Mexico City, Federal District, on May twenty-ninth, two thousand eight. **Felipe de Jesús Calderón Hinojosa**.- Signature.- Minister of the Interior, **Juan Camilo Mouriño Terrazo**.- Signature.