



REPUBLIC OF NIGER

MINISTER OF TRADE AND PRIVATE SECTOR PROMOTION

Signature of the Minister of Public Health

Decree N° 082 / MC / PSP / DGC / DCI / LCVC
of 09 OCT 2017
.....
prohibiting the import, distribution and tobacco
products containing flavors

MINISTER OF TRADE AND PRIVATE SECTOR PROMOTION Mindful of the Constitution
of November 25, 2010;

Mindful of the Framework Convention on Tobacco Control;

Mindful of Ordinance 93-13 of March 02, 1993, establishing a Code of Public Hygiene in the
Republic of Niger;

Mindful of the Customs Code;

Mindful of Law n° 2006-12 of May 15, 2006 relating to tobacco control;

Mindful of Decree N°. 90-146 / PRN / MEP of July 10, 1990 liberalizing the import and export of
goods;

Mindful of Decree N°. 2008-223 / PRN / MSP of July 17, 2008, establishing modalities for the
implementation of Law No. 2006-12 of May 15, 2006 on tobacco control;

Mindful of Decree N°. 2016-161 / PRN of April 02, 2016, appointing the Prime Minister, Head of
Government;

Mindful of Decree n° 2016-572 / PRN of October 19, 2017, appointing members of Government,
modified by the decree N° 2016/622 of November 14, 2016 and decree N° 2017/289 / PRN of April
18, 2017;

Mindful of Decree No. 2016-623 / PRN of November 14, 2016, on the organization of the
Government and establishing the powers of Ministers of State, Ministers and Deputy Ministers;

Mindful of Decree N°. 2016-624/PM of November 14, 2016, defining the responsibilities members of
Government;

Mindful of Decree N°. 2016-495/PRN/MC/PSP of December 04, 2013, on the organization of the
Ministry of Trade and Private Sector Promotion;

Upon proposal from the Secretary General,

DECREE:

Article 1: The purpose of the present decree is to reinforce measures to combat smoking among young people and women and to protect them against the health effects of tobacco and its by-products.

Article 2: Definitions:

Tobacco products: products intended to be smoked, sniffed, sucked, chewed or snuffed, in provided they are made of tobacco.

Flavor: 'a taste or smell, other than that of tobacco, derived from an additive or combination of natural or artificial additives, especially fruit, spices, herbs, alcohol, confectionery, chocolate or vanilla; identifiable before or during the consumption of a tobacco product with the exception of menthol ".

Article 3: The importation, distribution and sale of tobacco products containing flavor is prohibited.

Article 4: Any infringement of the provisions of article 3 of the present tobacco control law will be punished in accordance with the anti-tobacco law, the Customs Code, the Code of Public Hygiene and any other related regulation.

The products in question shall be confiscated and destroyed by the competent services at the expense of the offender, notwithstanding the other sanctions provided by the regulations in force.

Article 5: Importers and distributors of tobacco products have six months to comply.

Article 6: Sworn agents of the Ministry of Trade and Private Sector Promotion, customs officers, Sanitary Police officers and Defense and Security Forces are authorized to identify and punish infringements of the provisions of the present decree.

Article 7: The Secretary General of the Ministry of Trade and Private Sector Promotion, the Secretary General of the Ministry of Public Health, the Secretary General of the Ministry of Finance, the Secretary General of the Ministry of the Interior, Public Security, Decentralization and Customary and Religious Affairs are each responsible for the implementation of the present decree which will be published in the official gazette.

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