

LEGISLATIVE BRANCH
CONGRESS OF THE REPUBLIC
LAW No. 29517

PRESIDENT OF THE REPUBLIC

WHEREAS

The Congress of the Republic
Has issued the following Law:

THE CONGRESS OF THE REPUBLIC

Has issued the following::

**LAW WHICH AMENDS LAW NO. 28705, GENERAL LAW FOR THE PREVENTION
AND CONTROL OF THE RISKS OF TOBACCO USE IN ORDER TO ADAPT TO THE
WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL**

Article 1 Purpose of the Law

The purpose of this law is to amend Law No. 28705, General Law for the Prevention and Control of the Risks of Tobacco Use, with the goal of protecting from the exposure to tobacco smoke and improving the warnings about the health damage caused by smoking, in compliance with the World Health Organization (WHO) Framework Convention on Tobacco Control..

Article 2 Amendment

Let amendments be made to Articles 3, 4, 7 and 11 of Law No. 28705, General Law for the Prevention and Control of the Risks of Tobacco Use, which are written as follows:

“Article 3. – Protection against the exposure to tobacco smoke

3.1 It shall be prohibited to smoke in establishments dedicated to health or education, in public offices, in the interior of work places, in enclosed public spaces and on any means of public transportation; and those which are one hundred percent (100%) smoke free environments.

3.2 Interiors or enclosed public spaces shall be understood to be any work place or place of public access which is covered by a roof and enclosed between walls, regardless of the material used for the roof or whether the structure is permanent or temporary.

3.3 The Regulations to the Law set forth the remaining specifications for the interior or enclosed public spaces.

Article 4. – Requirement for a sign in places where smoking is banned

All establishments to which Article 3 of this Law refers must place signs in a visible location bearing the following inscription:

**“SMOKING IS BANNED IN PUBLIC PLACES BECAUSE IT IS DAMAGING
TO HEALTH”**

“100% TOBACCO SMOKE FREE ENVIRONMENT”

Article 7. – Warning phrases and images alluding to health damage

7.1 Cigarette packs and all kinds of tobacco packaging or product wrappers in general must have warning phrases and images on fifty percent (50%) of each of its principal faces about the damage to health produced by smoking. They must also have the following phrase permanently printed in the same area:

**“SALE PROHIBITED TO MINORS
UNDER THE AGE OF 18”.**

7.2 With the exception of cigarettes in all its forms, remaining tobacco products may bear the phrases shown in the above paragraph printed on labels attached to their wrapper.

7.3 The Regulations of this Law shall develop the warning phrases and images to which this article refers.

Article 11. – Bans on marketing

They are the following:

(...)

*5. – The sale of tobacco product packages containing **fewer than ten (10 units)** is prohibited.*

TRANSITORY PROVISIONS

ONE. – Adaptation by tobacco product companies

Producers, importers and distributors of tobacco products must adapt their cigarette packs and all kinds of tobacco packaging or wrappers to the provisions set forth in this Law within a period of one hundred eighty (180) days from when it first takes effect.

Unofficial Translation

TWO. – Adaptation of the establishments which would have made investments

Establishments which would have made verifiable investments to adapt to the provisions in the old text of Article 3 of Law No. 28705, General Law for Prevention and Control of the Risks of Tobacco Use, have a period of three hundred sixty (360) days from the publication of this Law during which to adapt to its provisions.

THREE. - Imports of Tobacco Products in Process

Exempted from the reaches of this Law are imports of tobacco products which upon the date when this Law is published are found to have confirmed purchase orders, are being shipped, are en route or are in the process of admission to the country beyond more than thirty (30) days.

FINAL PROVISION

SOLE: Regulatory Rules

Within a period of sixty (60) days from the publication of this Law the President shall issue the amendatory rules to the Regulations on Law No. 28705, General Law for the Prevention and Control of the Risks of Tobacco Use.

The lack of regulations to this Law shall not impede its effective period and binding force.

Contact the President of the Republic for its enactment..

Lima, March thirty-first, two thousand ten.

LUIS ALVA CASTRO

President, Congress of the Republic

MICHAEL URTECHO MEDINA

Second Vice President, Congress of the Republic

TO THE CONSTITUTIONAL PRESIDENT OF THE REPUBLIC

WHEREAS:

Unofficial Translation

I hereby order that it be known and enforced.

Issued at the Governmental Palace in Lima on the first day of April in the year two thousand ten.

ALAN GARCIA PEREZ

Constitutional President of the Republic

JAVIER VELASQUEZ QUESQUEN

President, Ministerial Council

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