

Swedish Code of Statutes

1975:1975:1154

Act (1975:1154) concerning warnings and content labelling on tobacco products

SFS: 1975:1154

Ministry/Agency: Health and Social Affairs

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The statute has been repealed through: SFS 1993:581

Other text: Amendments to and including. SFS1980: 232.

Other formats:

Amendment register: SFSR (Lagrummet)

Source: Government Offices/Lagrummet

Article 1 Any package of a tobacco product intended for sale to consumers in the country shall be provided, to the extent prescribed by the Government or the authority appointed by the Government, with

1. text that provides information on the health risks associated with tobacco use (warnings),
2. a declaration that provides information about harmful substances that the product contains or produces (content declaration).

The Government or the authority, appointed by the Government determines how the warning is to be formulated and what information is to be provided in the content declaration. How the warning and the declaration are to be designed and affixed to the package may also be prescribed.

Article 2 The manufacturer is responsible for ensuring that all packaging of the tobacco product that is manufactured in the country bears the prescribed warnings and content declaration. Regarding other tobacco products, the product liability rests with the first seller of the product in the country.

Article 3 Tobacco products may not be offered for sale to the consumer if they lack the required warnings and content declarations or if the warnings or content declaration are apparently incorrect.

Article 4 Supervision of compliance with this Act and with the regulations issued under the Act shall be exercised by the authority appointed by the Government.

Article 5 A person who manufactures, imports or sells a tobacco product shall, on demand, provide the regulatory authority with the information and documents necessary for supervision.

Article 6 The authority may issue any injunctions or prohibitions obviously required to ensure compliance with this Act or with regulations issued under the Act.

In a decision to impose an injunction or prohibition, the regulatory authority may set a penalty.

Article 7 The supervisory authority may decide that a tobacco product that is sold or is obviously intended to be sold in contravention of Article 3 shall be seized. The same applies to a product that is the subject of an injunction or prohibition under Article 6, if the injunction or prohibition is not complied with.

It is the responsibility of the police to provide assistance, if necessary, when products are to be seized in accordance with the first paragraph.

If a product has been seized in accordance with the first paragraph, the product owner must affix the prescribed warnings and declaration, under monitoring by the regulatory authority. The item shall be

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returned if it is shown to be unlikely that it will be offered for sale in contravention of the provisions of this Act. Otherwise, it may be destroyed by the regulatory authority.

A decision to seize a product shall be complied with notwithstanding that an action is brought against the decision.

Article 8 A person who has participated in oversight under this Act or has otherwise dealt with the matter referred to in the Act may not improperly disclose or make use of what he may thereby have learned concerning any professional secret or trade relationship.

In the public sector, the provisions of the Secrecy Act (1980:100) apply instead. *Act (1980:232)*.

Article 9 A person who intentionally or negligently

1. fails to provide the packaging of a tobacco product with the prescribed warnings or content declaration, or who in such labelling gives information that is materially false,
 2. otherwise breaches a regulation issued under Article 1,
 3. contravenes Article 3
- shall be ordered to pay a fine.

Liability under this Act does not occur if the offence is punishable under the Penal Code or subject to an injunction or an order under penalty under the Marketing Act (1975:1418).

Anyone who has breached a financial penalty or injunction shall not be ordered to accept liability under this Act for acts covered by the injunction or prohibition. *Act (1978:765)*.

Article 10 Any tobacco product that has been the subject of an offence under this Act or the value thereof may be declared forfeited, unless special reasons to the contrary exist.

Article 11 Public prosecution for an offence referred to in Section 9, first paragraph, may be instituted only upon notification by the regulatory authority.

Article 12 An action against a decision made by an authority with the support of Government authorization issued under Article 1 may be brought to the Government as a limited appeal.

An action against another decision issued by an authority under this Act or under the regulations promulgated under the Act may be brought to the Administrative Court of Appeal as a limited appeal.