

## Law of Ukraine

### On state regulation of production and circulation of ethyl, cognac and fruit, alcoholic drinks and tobacco

#### Article 11. Labeling of alcoholic drinks and tobacco products

*( Provisions of Article 11 on labeling a package of tobacco products to indicate the content of tar and nicotine to enter into force on January 1, 1999 pursuant to Law [No. 526/97-VR](#) of September 11, 1997)*

1. Labeling of vodka and alcoholic beverages that are sold in Ukraine shall be implemented as follows:

*( Paragraph one of Part one of Article 11 with amendments pursuant to Law [No. 3032-III](#) of February 7, 2002 )*

on the front label of each bottle or the bottle itself (other container) of vodka and alcoholic beverages sold through a retail network, in a form accessible for the consumer, pursuant to the applicable law on language, the following shall be indicated:

*( Paragraph two of Part one of Article 11 in the version of the Law [No. 195-IV](#) of October 24, 2002 - enters into force as of January 1, 2003)*

common and proper product name;

manufacturer's name;

trademark for goods and services;

geographical name of the location where the product is manufactured, if the name of the manufacturer does not reflect the location of the enterprise;

alcohol content (% vol.);

container capacity;

*( Paragraph nine of Part one of Article 11, deleted based on Law [No. 195-IV](#) of October 24, 2002 – enters into force as of January 1, 2003)*

sugar content (if this is governed by regulatory documents);

name of the regulatory document (for products of domestic production, intended for sale on the territory of Ukraine).

*( Paragraph 11 of Part 1 of Article 11 with amendments pursuant to Law [No. 3032-III](#) of February 7, 2002 )*

The bar code should be placed on the display side of the label, or the back label, or bottle (or other container).

*( Part one of Article 11 supplemented by Paragraph twenty, pursuant to Law [No. 1685-III](#) of April 20, 2000, in the version of Law [No. 195-IV](#) of October 24, 2002 – enters into force as of January 1, 2003 )*

On the display side of the label, or back label, or cork, or bottle (or other container) of the product, the date of manufacture of the product, the enterprise code and the number of the manufacturing license should be indicated.

*( Paragraph thirteen of Part one of Article 11 in the version of Law [No. 195-IV](#) of October 24, 2002 – enters into force as of January 1, 2003 )*

Bottling of vodka and alcoholic beverages is carried out, in accordance with current standards, exclusively with glass bottles, aluminum cans, as well as souvenir bottles and decorative glass or glazed ceramic ware. Bottling of vodka and alcoholic beverages containing ethyl alcohol of more than 8.5% volume units is carried out using containers (vessels) with a capacity of 0.05 l., 0.1 l., 0.2 l., 0.25 l., 0.275 l., 0.33 l., 0.37 l., 0.375 l., 0.4 l., 0.45 l., 0.5 l., 0.61 l., 0.7 l., 0.75 l., 1.0 l. or more.

*( Paragraph fourteen of Part one of Article 11 in the version of Law [No. 195-IV](#) of October 24, 2002 – enters into force as of January 1, 2003; with amendments pursuant to Laws [No. 849-IV](#) of May 22, 2003, [No. 2189-IV](#) of November 18, 2004 )*

A product intended for export is labeled in accordance with the terms of the export agreement.

*( Part one of Article 11 supplemented with the paragraph, pursuant to Law [No. 3032-III](#) of February 7, 2002 )*

2. Labeling of wine products, including cider and perry (without alcohol added), which are sold in Ukraine, is carried out as follows:

*( Paragraph one of Part two of Article 11 with amendments pursuant to Laws [No. 3032-III](#) of February 7, 2002, [No. 797-VI](#) of December 25, 2008 )*

on the front label of each bottle or the bottle itself (other container) of wine products, including cider and perry (without added alcohol), which are sold through a retail network, in a

form accessible for the consumer and pursuant to the applicable law on language, the following shall be indicated:

*( Paragraph two of Part one of Article 11 in the version of the Law No. 195-IV of October 24, 2002; with amendments pursuant to Law N 797-VI of December 25, 2008)*

country name;

name of the enterprise and its location;

trademark for goods and services;

product name;

container contents;

alcohol content (% vol.);

sugar content (except dry wines, champagne, sparkling wine and brandy) (% wt.);

*( Paragraph ten of Part two of Article 11, deleted based on Law No. 195-IV of October 24, 2002 – enters into force as of January 1, 2003 )*

name of the regulatory document (for products of domestic production, intended for sale on the territory of Ukraine).

*( Paragraph eleven of Part two of Article 11 with amendments pursuant to Law No. 3032-III of February 7, 2002 )*

the presence of flavorings, colors (when used).

*( Paragraph of Part two of Article 11 in the version of Law No. 1685-III of April 20, 2000 )*

The bar code should be placed on the display side of the label, or the back label, or bottle (or other container). The date of manufacture of the product should be indicated on the display side of the label, or the back label, or the cork, or bottle (or other container).

*( Part two of Article 11 supplemented by Paragraph thirteen pursuant to Law No. 1685-III of April 20, 2000, in the version of Law No. 195-IV of October 24, 2002 – enters into force as of January 1, 2003 )*

The ageing time for fine wines and the designation of "vintage," the age of cognac spirits for vintage cognacs and special names for brandies are given on the bottle-neck label.

Additional labels are applied to bottles of collectible wines and cognacs with the inscription "Collection, additionally aged in the collection of \_\_\_\_ years".

On the neck of the bottle of a collection wine a label is pasted indicating the year the grapes the wine is made from were harvested.

Labels of wine bottles with controlled denomination of origin must have the inscription "wine of controlled denomination of origin," and on the back labels – a schematic representation of the region where the wine is produced showing the site of the grapes.

On a bottle of vermouth there should be a back label or additional label, which shows data on the primary composition of the beverage components and recommendations coordinated with the Ministry of Health of Ukraine regarding consumption of the beverage.

On a bottle with all kinds of wine products a label can be attached, which contains additional information about the beverage.

Bottling of wine products is carried out, in accordance with current standards, exclusively with glass bottles, as well as souvenir bottles and decorative glass, glazed ceramic or wooden ware, "Tetra-Pak" and "Bag in box" packaging types. Bottling of wine products is carried out using exclusively containers (vessels) with a capacity of 0.05 l., 0.1 l., 0.2 l., 0.25 l., 0.275 l., 0.35 l., 0.375 l., 0.4 l., 0.45 l., 0.5 l., 0.61 l., 0.68 l., 0.7 l., 0.75 l., 0.8 l., 1.0 l. or more. Bottling of dry wines and wines with added alcohol (processed wine) from ordinary and vintage grapes is carried out in a container (vessel) with a volume from 50 to 600 l, manufactured from materials allowed for contact with alcoholic beverages, and in this case the requirements stipulated by this Article for labeling of wine products does not apply.

*( Paragraph twenty of Part two of Article 11 in the version of Law No. 195-IV of October 24, 2002 – enters into force as of January 1, 2003, and of Law No. 2189-IV of November 18, 2004 )*

Products intended for export are labeled pursuant to the terms of the relevant export agreement.

*( Part two of Article 11 supplemented with the paragraph pursuant to Law No. 3032-III of February 7, 2002 )*

3. Labeling of tobacco products, which are sold in Ukraine, is carried out as follows:

*( Paragraph one of Part three of Article 11 with amendments pursuant to Law No. 3032-III of February 7, 2002 )*

The proper name of the product is indicated on each unit of tobacco product (cigarettes, cigars, etc.).

On every pack, box or souvenir box the following are indicated:

name of the manufacturing enterprise or the tobacco company;

general and proper names;

presence of a filter mouthpiece;

number of pieces in a pack, box or souvenir box;

information on the content of tar and nicotine in the smoke of one cigarette (for cigarettes), which is affixed to the outside of one of the smaller sides of the package of tobacco products and which occupies at least 15 percent of the area of this side;

*( Paragraph eight of Part three of Article 11 in the version of Laws No. 3032-III of February 7, 2002, No. 2899-IV of September 22, 2005, No. 1824-VI of January 21, 2010 )*

text of the main health warning for consumers of tobacco products "Smoking causes cardiovascular diseases and lung cancer" and the text of an additional health warning, selected from six texts of additional health warnings with the following contents: "Smoking during pregnancy harms your baby;" "Tobacco smoke harms the health of those around you;" "Smoking is addictive, do not start smoking!;" "Smoking causes impotence;" "Protect your children: do not let them breathe your smoke;" "Smokers died prematurely," which are affixed to packages of tobacco products on a rotating basis, and which should occupy at least 30 percent of the outside of each of the larger sides of the package of tobacco products. Texts of the main and additional health warnings for consumers of tobacco products, which are indicated on each package of tobacco products, must be legible, printed within a black frame, the width of which should be at least three millimeters, in bold black font against a white background, in lower case letters, except for the first letter of the warning, and placed in the center of the frame so as to ensure the integrity of the text when the tobacco product is opened in the manner indicated on its packaging, and should not overlap any other printed information or excise duty stamp;

*( Paragraph nine of Part three of Article 11 in the version of Law No. 3032-III of February 7, 2002 – regarding the entry into force of the amendments, see Paragraph 3 of the Final Provisions, and of Law No. 2899-IV of September 22, 2005 )*

name of the regulatory document (for a product of domestic production, intended for sale on the territory of Ukraine);

*( Paragraph ten of Part three of Article 11 with amendments pursuant to Law No. 3032-III of February 7, 2002 )*

a bar code.

On the packaging (except for the transparent wrappers), in which the products are contained, the following are specified:

*( Paragraph twenty of Part three of Article 11 with amendments pursuant to Law No. 3425-IV of February 9, 2006 )*

general and proper product name;

number of units of product in the package;

bar code.

Indicated on the transport container are the following:

general and proper product name;

name of the manufacturing enterprise and its location;

number of units of product in the package;

date of manufacture;

name of the regulatory document (for a product of domestic production, intended for sale on the territory of Ukraine).

*( Paragraph twenty of Part three of Article 11 with amendments pursuant to Law No. 3032-III of February 7, 2002 )*

Trademarks for goods and services on tobacco products are placed on tobacco products in the language and the form of the registered original or image specified in the approved application for registration of a trademark for goods and services.

*( Paragraph twenty two of Part three of Article 11 with amendments pursuant to Law No. 3032-III of February 7, 2002 )*

A product intended for export is labeled pursuant to the terms of the respective export agreement.

*( Part three of Article 11 supplemented by the paragraph pursuant to Law No. 3032-III of February 7, 2002 )*

4. The manufacturer may include additional information on the label about product characteristics. In this case, manufacturers of tobacco products are prohibited from including information on the label that may be misleading or may create the wrong impression about the characteristics of the tobacco products and their impact on health, including any terms, titles, trademarks, images, symbols or any other sign that directly or indirectly creates the false impression that a certain tobacco product is less harmful than other products, including such terms as "with low tar content," "light," "super light," "ultra light" and their counterparts in other languages.

*( Paragraph one of Part four of Article 11 in the version of Law No. 3425-IV of February 9, 2006 )*

A label product is developed by a commodity producer of alcohol and tobacco products and must comply with the requirements of applicable laws on language (except for additional information relating to product characteristics), does not require additional approvals, is the industrial property of the manufacturer and is protected under existing legislation on industrial (intellectual) property. Proper names of alcoholic beverages and tobacco products are determined by their manufacturers and they can reproduce a trademark for goods and services or a part of it that has been registered or for which an application for registration has been filed.

*( Paragraph two of Part four of Article 11 with amendments introduced pursuant to Laws No. 3032-III of February 7, 2002, No. 2189-IV of November 18, 2004 )*

Alcoholic beverages and tobacco products that are manufactured in Ukraine, as well as those that are imported into Ukraine, are marked with an excise duty stamp in accordance with the law.

In the event of a change in the design of the excise duty stamp, stamps that have already been purchased with the previous design are used in the production of alcoholic beverages and tobacco products to their full use, and alcoholic beverages and tobacco products labeled with these stamps are circulated until their full sale within the expiration date for consumption.

*( Part four of Article 11 supplemented by the paragraph pursuant to Law No. 3032-III of February 7, 2002 )*

Amendments to this article shall take force no earlier than within 18 months from the date of publication of the law under which the introduction of such amendments is stipulated.

*( Part four of Article 11 supplemented with the paragraph pursuant to Law No. 3032-III of February 7, 2002 )*

In this case, alcoholic beverages and tobacco products, manufactured in Ukraine or imported into Ukraine, prior to entry into force of amendments to the respective law on labeling, are circulated until their full sale within the expiration date for consumption.

*( Part four of Article 11 supplemented by the paragraph pursuant to Law No. 3032-III of February 7, 2002 )*

Requirements established by this article for container (vessel) capacity do not apply to alcoholic beverages of imported production.

*( Part four of Article 11 supplemented by the paragraph pursuant to Law No. 195-IV of October 24, 2002 – enters into force as of January 1, 2003 ) ( Article 11 in the version of Law No. 526/97-BP of September 11, 1997, with amendments introduced pursuant to Law No. 3032-III of February 7, 2002 )*

### **Article 15-3. Restrictions on the sale of beer (except non-alcoholic beer), alcoholic beverages, soft drinks, table wines and tobacco products**

*( Name of Article 15-3 in the version of Law No. 1824-VI of January 21, 2010; with amendments introduced pursuant to Law No. 2275-VI of May 20, 2010 )*

Prohibited is the sale of beer (except non-alcoholic beer), alcoholic beverages, soft drinks, table wines and tobacco products;

1) by persons under the age of 18;

2) to persons under the age of 18;

3) in the premises and on the territory of educational institutions, health care facilities, except for restaurants that are located in health resorts;

*( Paragraph 3 of Part one of Article 15-2 with amendments introduced pursuant to Law No. 2275-VI of May 20, 2010 )*

4) on the premises of specialized trade organizations that conduct trade in children's goods or sporting goods, and also in the respective departments (sections) of global trade organizations;

- 5) in indoor sports facilities (except for beer in a plastic container);
- 6) from vending machines;
- 7) on self-service shelves (except for tobacco products in blocks and alcoholic beverages, soft drinks, table wines, beer);
- 8) by piece (for tobacco products, except cigars);
- 9) in consumer packages that contain less than 20 cigarettes;

*( Provisions on the prohibition of the sale of tobacco products in consumer packages that contain less than 20 cigarettes go into force as of January 1, 2011 – see Paragraph two of Point 1 of Section II of Law No. 1824-VI of January 21, 2010 )*

10) by hand;

11) in trade establishments not designated for this;

*( Part one of Article 15-3 with amendments introduced pursuant to Law No. 1512-VI of June 11, 2009; in the version of Law No. 1824-VI of January 21, 2010 )*

Prohibited is the sale of children's goods that imitate tobacco products.

*( Part two of Article 15-3 in the version of Law No. 1824-VI of January 21, 2010 )*

During public events, rural, village and city councils, within the limits of the respective administrative territory, may prohibit or restrict the sale of beer (except beer in plastic containers), alcoholic beverages, soft drinks, table wines and the smoking of tobacco products.

*( Part three of Article 15-3 in the version of Law N 1824-VI of January 21, 2010 )*

A seller of beer (except non-alcoholic beer), alcoholic beverages, soft drinks, table wines or tobacco products is obligated to obtain from the buyer, who is buying the beer (except for non-alcoholic beer), alcoholic beverages, soft drinks, table wines or tobacco products, a passport or other documents that confirm the age of the buyer, if the seller has doubts that the buyer is 18 years old.

*( Part of Article 15-3 in the version of Law No. 1824-VI of January 21, 2010 )*

In the event of the buyer's failure to provide such a document, the sale of beer (except for non-alcoholic beer), alcoholic beverages, soft drinks, table wines or tobacco products to such a person is prohibited.

*( Part of Article 15-3 in the version of Law No. 1824-VI of January 21, 2010 )*

The sale of alcoholic beverages by the glass for consumption on site is allowed only by public dining establishments and special departments that have the status of a catering business with a universal range of products.

*( Article 15-3 supplemented by the Part pursuant to Law No. 195-IV of October 24, 2004 – enters into force as of January 1, 2003; in the version of Law No. 2189-IV of November 18, 2004 )*

Table wines are sold without the use of payment transaction registrars using books and accounting transaction books.

*( Article 15-3 is supplemented by the Part pursuant to Law No. 2189-IV of November 18, 2004; in the version of Law No. 2275-VI of May 20, 2010 )*

The sale of wines with the addition of alcohol (processed wine) from ordinary and branded grapes of one's own production by the glass from a container with a capacity of 50 to 600 liters is allowed by enterprises of primary and mixed production, exclusively at the location of such enterprises within the administrative-territorial units (city, town, village) where excise duty is paid in the amount established by the Law of Ukraine "[On the Excise Duty Rate for Ethyl Alcohol and Alcoholic Beverages](#)," if it has a license for the retail trade in alcoholic beverages for which there is a corresponding entry at the agency that issued such a license. Annual sales of wine (processed wine) by the glass by such enterprises cannot exceed 20 percent of the annual volume of wine produced.

*( Article 15-3 supplemented by the Part pursuant to Law No. 2189-IV of November 18, 2004; with amendments introduced pursuant to Law No. 2275-VI of March 20, 2010 ) ( Text of Article 15-3 with amendments introduced pursuant to Law No. 2275-VI of May 20, 2010 ) ( Law supplemented by Section IV-1 pursuant to Law No. 3032-III of February 7, 2002 )*

#### **Article 17. Responsibility for violation of the standards of this Law**

For violation of the standards of this Law concerning the manufacture and trade in ethyl, cognac and fruit alcohol, rectified grape ethyl alcohol, rectified fruit ethyl alcohol, grape crude alcohol, fruit crude alcohol, alcoholic beverages and tobacco products, officials and citizens are held responsible in accordance with applicable law.

*( Part one of Article 17 with amendments pursuant to Law No. 3032-III of February 7, 2002 )*

Financial sanctions are applied to business entities in the form of fines in the event of:

late registration as a payer of excise tax – 1,700 hryvnias;

*( Paragraph two of Part two of Article 17 with amendments pursuant to Law No. 3032-III of February 7, 2002 )*

the manufacture of ethyl, cognac and fruit alcohol, grape rectified ethyl alcohol, fruit rectified ethyl alcohol, grape crude alcohol, fruit crude alcohol, alcoholic beverages and tobacco products without a license – 200 percent of the value of the manufactured product (at wholesale prices), but not less than 8,500 hryvnias;

*( Paragraph three of Part two of Article 17 with amendments pursuant to Law No. 3032-III of February 7, 2002 )*

the manufacture of alcoholic beverages with the use of other types of alcohol (except ethyl, cognac and fruit, grape rectified ethyl alcohol, fruit rectified ethyl alcohol) – 200 percent of the value of the manufactured product (at wholesale prices), but not less than 8,500 hryvnias;

*( Paragraph four of Part two of Article 17 with amendments pursuant to Law No. 3032-III of February 7, 2002 )*

wholesale (including import and export) and retail trade of ethyl, cognac and fruit alcohol, grape rectified ethyl alcohol, fruit rectified ethyl alcohol, alcoholic beverages and tobacco products without a license, - 200 percent of the value of the batch of goods received, but not less than 1700 hryvnias;

*( Paragraph five of Part two of Article 17 with amendments pursuant to Law No. 3032-III of February 7, 2002, in the version of Law No. 849-IV of May 22, 2003 )*

*( Paragraph five of Part two of Article 17 regarding the availability at the point of sale of copies certified by the manufacturer or importer of current declarations on the maximum retail prices for tobacco products, which are sold at this point of sale, enters into force as of January 1, 2004 )*

retail trade in alcoholic beverages via an electronic cash register (book of account transactions) not specified in the license - 200 percent of the value of the products sold through this electronic cash register (book of account transactions), but not less than 1000 hryvnias;

*( Part two of Article 17 supplemented with the paragraph pursuant to Law No. 2505-IV of March 25, 2005 ) ( Paragraph six of Part two of Article 17 is deleted based on Law No. 2189-IV of November 18, 2004 )*

payment of the totals of excise tax and VAT via mutual credits, bills of exchange, including treasure, and other forms, which do not stipulate payment of such fees with cash, - in the amount of the values of the products shipped;

*( Part two of Article 17 supplemented by Paragraph seven pursuant to Law No. 1685-III of April 20, 2000 )*

violation of the requirements of Article 15-3 of this Law - 6800 hryvnias;

*( Part two of Article 17 is supplemented with the paragraph pursuant to Law No. 3032-III of February 7, 2002; in the version of Law No. 1824-VI of January 21, 2010 )*

a place specially allocated for smoking that is not equipped and lacks visual information stipulated by Article 15-2 of this Law, - 3400 hryvnias;

*( Paragraph of Part two of Article 17 in the version of Law No. 1824-VI of January 21, 2010 )*

storage of alcohol, or alcoholic beverages, or tobacco products in storage locations not listed on the Unified Register, - 100 percent of the value of the goods, which are located in the storage area, but not less than 1700 hryvnias;

*( Part two of Article 17 is supplemented by the paragraph pursuant to Law No. 3032-III of February 7, 2002 )*

use of grape crude alcohol or fruit crude alcohol in a manner not stipulated by this Law, - 200 percent of the value of the alcohol, but not less than 1700 hryvnias;

*( Part two of Article 17 is supplemented by the paragraph pursuant to Law No. 3032-III of February 7, 2002 )*

wholesale or retail trade in cognac, alcoholic beverages, vodka, liqueur-spirit products and wine at prices lower than the established minimum wholesale or retail prices for such beverages – 100 percent of the value of the batch of goods received, calculated on the basis of the minimum wholesale or retail prices, but not less than 1000 hryvnias;

*( Part two of Article 17 is supplemented by the paragraph pursuant to Law No. 3032-III of February 7, 2002; in the version of Law No. 1824-VI of January 21, 2010 )*

retail trade in tobacco products at prices higher than the maximum retail price for tobacco products established by the manufacturers or importers of such tobacco products, - 100

percent of the value of the tobacco products in the possession of the business entity, but not less than 1000 hryvnias;

*( Part two of Article 17 is supplemented by the paragraph pursuant to Law No. 849-IV of May 22, 2003 )*

*( Paragraph of Part two of Article 17 on the presence at the point of sale of copies certified by the manufacturer or importer of current declarations on the maximum retail prices for tobacco products, which are sold in this point of sale, enters into force as of January 1, 2004 )*

storage, transport, sale of counterfeit alcoholic beverages and tobacco products, alcoholic beverages and tobacco products without excise stamps or with counterfeit excise stamps - 100 percent of the value of the goods, but not less than 1700 hryvnias.

*( Part two of Article 17 is supplemented by the paragraph pursuant to Law No. 2189-IV of November 18, 2004 )*

The indicated fines are sent to the budget in accordance with current legislation.

*( Part three of Article 17 in the version of Law No. 3032-III of February 7, 2002 )*

Decisions on the imposition of fines, stipulated by Part two of this article, are adopted by the agency that issued the license for the right to manufacture and trade in ethyl, cognac and fruit spirits, grape rectified ethyl alcohol, fruit rectified ethyl alcohol, grape crude alcohol, fruit crude alcohol, alcoholic beverages and tobacco products and by other executive agencies within the limits of their competency as indicated by the laws of Ukraine.

*( Part four of Article 17 in the version of Law No. 1685-III of April 20, 2000, with amendments introduced pursuant to Law No. 3032-III of February 7, 2002 )*

In the event of non-performance by the business entity, the decision of agencies referred to in Part three of this article, the amount of the fine imposed is based on a court order.

*( Part five of Article 17 with amendments pursuant to Law No. 3032-III of February 7, 2002 )*

Actions of agencies that have the right of control over implementation of the standards of this Law may be appealed within one month in a court proceeding.

***President of Ukraine Leonid Kuchma***

***Kyiv, December 19, 1995***

***N 481/95-VR***