

MINISTRY OF PUBLIC HEALTH

MINISTRY OF PUBLIC HEALTH

MINISTRY OF ECONOMY AND FINANCE

MINISTRY OF INDUSTRY, ENERGY AND MINING

Montevideo, May 31, 2005

GIVEN: the need to expand the provisions of Decree No. 36/005 of January 25, 2005, regulations to Law No. 17.714 of November 28, 2003, which replaced Art. 2 of Decree Law No. 15.361 of December 14, 1982, concerning discretion of the Ministry of Public Health in the preparation of health warnings to be carried by cigarette packs;

THEREFORE: I) the comparison in effectiveness between the different health warnings on cigarette packs showed that there is a connection between these health warnings, the intention to quit and the success of same;

II) this is directly related to the State's authoritative discretion in preparing the guidelines or legends contained by the health warning, with the understanding that this warning is rotating and may include images and/or pictograms;

WHEREAS: I) information provided by the Tobacco Control Advisory Commission created under the Ministry of Public Health insofar as its recommending placement of health warnings describing the damaging effects of tobacco use and other appropriate messages on the exterior of all tobacco product packages and wrappers and on all similar packaging and labeling;

II) tobacco use causes important social harm, thus making it essential to adopt all measures that will help reduce such use, precisely in that general interest;

III) pursuant to the contents of Art. 44 of the Constitution of the Republic, it is the responsibility of the State to legislate on all matters related to public health and hygiene, seeking the physical, moral and social perfection of all inhabitants of the land;

IN VIEW OF: the foregoing, and by the provisions of Arts. 44 of the Constitution of the Republic, the Framework Convention for Tobacco Control, Art. 11, Law No. 9.202 of January 12, 1934 - Organic of Public Health -, Law No. 17.714 of November 28, 2003, Decree Law No. 15.361 of December 24, 1984, Arts. 2 and 5 of Decree No. 263/983 and Decree No. 36/005 of January 25, 2005, other modifying and concordant provisions;

THE PRESIDENT OF THE REPUBLIC

HEREBY DECREES:

Article 1.- Let the provision of Decree No. 36/005 of January 25, 2005, concerning that health warnings must occupy 50% of the total exposed surfaces on tobacco product packages and wrappers, that they must be rotating and include images and/or pictograms, be expanded. Likewise, be it here established that on such products no expressions, terms, elements, brand names or symbols may be used that may have the direct effect of creating a false impression, such as “low in tar”, “light”, “ultra-light”, or “mild”.

Article 2.- Entrust the Ministry of Public Health with defining the typology, legend, images and/or pictograms to be included in same.

MINISTRY OF PUBLIC HEALTH

Article 3.- Breach of the provisions of this Decree empowers the Ministry of Public Health to impose penalties set forth in the prevailing regulations in its role as “Health Police” of the State.

Article 4.- It is hereby ordered that this be made known and published.

Ref. 001-1876/2005

Domestic Decree No.

[Illegible signature]

Dr. MARIA JULIA MUNOZ

Minister of Public Health

[Illegible signature]

DR. TABARE VÁSQUEZ

President of the Republic

[2 illegible signatures]