

**BOLIVARIAN REPUBLIC OF VENEZUELA - MINISTRY OF HEALTH AND SOCIAL DEVELOPMENT -
OFFICE OF THE MINISTER - No. _____ CARACAS _____**

As ordered by the President of the Republic and as established in Articles 83 of the Constitution of the Bolivarian Republic of Venezuela in accordance with Article 76, Numeral 8 of the Organic Law of the Public Administration; Articles 5, 32 and 33 of the Organic Law of Health and Article 6, Numerals 1, 2 and 7 of the Consumer and User Protection Law.

Whereas

Health is a fundamental right of everyone and the State is responsible for guaranteeing such right as part of the right to life.

Whereas

Everyone has the right to enjoy a healthy and safe environment, and the State has the obligation to guarantee, protect and cooperate with environmental health and respect to the right that individuals have not to breathe air polluted by smoke from cigarettes, cigars or tobacco.

Whereas

It is a right of individuals to be informed about the different products that they consume and for the same to be offered with specifications of characteristics, composition and quality that allow them to choose according to their wishes and needs.

Whereas

Human consumption of cigarettes and other tobacco products in any of its forms represents a risk to health, due to the presence of carcinogens, contaminants and other toxic substances in them.

Whereas

It is in the purview of the State to drive forward public policies for promoting health and preventing illnesses, guaranteeing an informative environment that allows people to grow up adopting a healthy behavior.

Whereas

It has been scientifically demonstrated that the use of tobacco in any of its forms is addictive and that its presentation may constitute a way to encourage the purchase and consumption of the product.

Whereas

That it is the duty of the Venezuelan State to watch over the people's rights faced with risks caused by the products that might be considered harmful or hazardous with regard to guarantees and health protection.

Whereas

It is the duty of the State to protect its male and female citizens against coercive or unethical commercial methods that distort their freedom to choose, as well as to make sure that the warnings established in the

law are made known visually or by audio, as the case may be, in the different presentation media that advertise smoking cigarettes, cigars or pipe tobacco.

Whereas

No level of toxic compounds contained in cigarettes and other tobacco products is safe for consumers and all levels have demonstrated that they pose a health risk.

IT IS HEREBY RESOLVED

REGULATION ON CIGARETTE PACKS

Article 1: The purpose of this Resolution is to regulate cigarette packs and packaging.

Article 2: For purposes provided in this Resolution, the following definitions are established:

1. **Box:** Pack or container that constitutes the smallest container of cigarettes manufactured for consumption.
2. **Packaging:** Boxes, packs, cans and any other device for conditioning of products for the consumer market.
3. **Front Face:** It is the surface located on the front portion or front side of a pack of cigarettes and these surfaces constitute the faces with the largest dimension of the package.
4. **Side Face:** It is the surface located on the sides of a cigarette pack the dimensions of which are smaller than the front faces.

Article 3: The packs and any other type of cigarette packaging shall contain warnings through texts or images regarding how harmful cigarette consumption is to your health.

Article 4: Such warnings must comply with the following conditions:

1. One single image and text of the warning are to be used per pack or package and this must include a series of ten (10) warnings in each lot.
2. They must be posted legible and clearly stand out.
3. Be accompanied by color images alluding to the warnings, which shall be determined by the Ministry of Health and Social Development through the web page. Use the following texts:
 - a) THIS PRODUCT IS HARMFUL TO YOUR HEALTH AND IS ADDICTIVE.
 - b) SMOKING CAUSES BAD BREATH, LOSS OF TEETH AND CANCER OF THE MOUTH.
 - c) SMOKING CAUSES LUNG CANCER, COUGHING, PULMONARY EMPHYSEMA AND CHRONIC BRONCHITIS.
 - d) SMOKING CAUSES STROKE.
 - e) SMOKING DURING PREGNANCY IS HARMFUL TO THE HEALTH OF YOUR BABY.
 - f) CHILDREN START SMOKING WHEN THEY SEE ADULTS SMOKING.
 - g) SMOKING CIGARETTES DURING THE USE OF ORAL CONTRACEPTIVES INCREASES THE RISK OF THROMBOSIS.
 - h) SMOKING CAUSES IMPOTENCE IN MEN.
 - i) QUITTING SMOKING WILL IMPROVE YOUR HEALTH AND PROLONG YOUR LIFE.
 - j) CIGARETTE SMOKING ALSO AFFECTS NONSMOKERS.
4. The texts indicated in Numeral 3 of this Article must be preceded by the statement: "The Ministry of Health and Social Development warns:" and will be subject to annual revisions and modifications by the Ministry of Health and Development.

Article 5: The size of the warning must be proportional to the size of the box containing it, which will occupy 100% of one of the front faces of the cigarette pack, of which 70% will correspond to the image and 30% will be intended for the text of the warning. Such texts must be clear and legible and written in white characters on a black background or in black characters on a white background.

All those packs containing cigarettes, with shapes different from those established herein, must occupy altogether not less than 40% of the total surface of the package, with regard to the warnings and specifications of the contents of the product.

Article 6: The use of the following designations on packages and packs is forbidden: ultra low class (es), low level(s), smooth, light, soft, mild level(s), high, hard level(s) and any other qualification allusion with regard to levels of toxic products contained in the cigarettes and their health risks.

Article 7: Cigarette packages must indicate on one of the side faces the classification of the cigarette composition substances, indicating: "This product contains tar, nicotine and carbon monoxide, which are cancer-causing and toxic": "There are no safe levels for the consumption of these substances".

These statements must be indicated on the outside of the packs and occupy 100% of one of the side faces of the packs; be readily legible and be written in white characters on a black background or in black characters on a white background.

Article 8: The Ministry of Health and Social Development will publish the authorized images as established in Numeral 3 of Article 4 of this Resolution, one (1) month after the publication of this Resolution in the Official Gazette of the Bolivarian Republic of Venezuela.

Article 9: For compliance with the provisions in this Resolution, the cigarette production companies or importers will have a term of nine (9) months, counted from the publication date of this Resolution.

Article 10: The products manufactured or imported before the term established in the previous Article that are distributed at the sale points to the consumer may be marketed up to a maximum term of nine (9) months counted from the date that this Resolution becomes effective.

Article 11: Cigarette production companies or importers who violate the provisions in this Resolution shall be penalized in conformity with the laws governing the subject matter.

Article 12: The General Directorate of Environmental Health and Sanitary Comptrollership is responsible for monitoring compliance with this Resolution.

Article 13: This Resolution shall become effective three (3) months after its publication in the Official Gazette of the Bolivarian Republic of Venezuela.