



**BOLIVARIAN REPUBLIC OF VENEZUELA**

**MINISTRY OF PEOPLE'S POWER FOR HEALTH**

**NUMBER**

**OF 2014  
203<sup>rd</sup> and 154<sup>th</sup> year**

**RESOLUTION**

In the exercise of the attributions conferred upon it by Decree N° 558 dated November 05, 2013, published in the *Gaceta Oficial* of the Bolivarian Republic of Venezuela N° 40.287 of the same date, pursuant to what is set forth in items 2 and 19 of Article 77 of the Decree on the Range, Value and Force of the Organic Law of Public Administration, in accordance with what is set forth in Articles 5, 11 item 1 and 27 item 5 of the Organic Law of Health.

**WHEREAS**

The Constitution of the Bolivarian Republic of Venezuela in its Article 83 establishes as an inescapable requirement the guarantee that the Venezuelan State must provide for the protection of the health of all its population, as part of the Right to Life, enshrined as a Fundamental Social Right.

**WHEREAS**

The Plan of the Homeland demands the commitment to ensure the highest level of social security and supreme happiness, ensuring the health of the population, with the aim of strengthening social domains for safe and mutually supporting co-existence in everyday family and community life, taking into consideration respect for people's right not to breathe air contaminated by the smoke of cigarettes, tobacco or rolling tobacco.

**WHEREAS**

It is the mission of the Ministry of People's Power for Health to promote health and prevent diseases, for which reason it must ensure an informative climate that enables boys, girls, young people and the general public to grow and develop adopting healthy behaviors.



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#### **WHEREAS**

The World Health Organization (WHO) recommends that the images associated with health warnings that are placed on cigarette packs should be changed every two years in order to have an impact on the cigarette-smoking public, since it has been scientifically demonstrated that the use of tobacco in any of its forms is addictive, its ingredients are toxic and carcinogenic, and that its presentation can constitute a means for instigating the purchase and consumption of the product.

#### **WHEREAS**

No level of the toxic compounds contained in cigarettes and other tobacco products is safe for the consuming public, and it has been demonstrated that they pose a risk to health, considering that in the Bolivarian Republic of Venezuela and the world many people die each year of diseases directly related to tobacco use, such as cancer, cardiovascular, respiratory and perinatal diseases, among others, because of consumption of, or exposure to, tobacco smoke.

#### **WHEREAS**

It is the duty of the State to combat coercive or unfair commercial methods that distort freedom of conscious choice, as well as to see to it that the established warnings are made known in visual or auditory form, as the case may be, in the various media promoting the smoking of cigarettes, tobacco or rolling tobacco.

#### **RESOLVES**

**ARTICLE 1.** The purpose of this Resolution is to regulate packaging and packs of cigarettes.



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**ARTICLE 2.** For the purposes of this Resolution, the following definitions shall apply:

1. **Pack:** Package or container that constitutes the smallest unit of cigarettes produced for consumption.
2. **Packaging:** Packs, cartons, packages, cans and any other vessel for containing products for the consumer market.
3. **Front Surfaces:** these comprise the surfaces with the largest dimension on the cigarette pack.
4. **Lateral Surfaces:** These are located on the sides of a pack of cigarettes, whose dimensions are smaller than those of the front surfaces.

**ARTICLE 3.** Packs and any other kind of packaging for cigarettes are to contain warnings in the form of images and texts concerning the harm to health resulting from their consumption.

**ARTICLE 4.** The warnings referred to in the foregoing article must comply with the following conditions:

1. One single image and warning text is to be used per pack or package simultaneously, and is to include the series of twelve (12) warnings in each lot.
2. They are to be presented in a legible and clearly prominent manner
3. They are to be accompanied by color images alluding to the warning, which are to be published by the Ministry of People's Power for Health through its web page at: [www.mpps.gob.ve](http://www.mpps.gob.ve).
4. They are to use the following texts:
  - A) THIS PRODUCT IS HARMFUL TO HEALTH AND CAUSES ADDICTION.



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B) SMOKING CAUSES BAD BREATH, LOSS OF TEETH AND MOUTH CANCER.

C) SMOKING CAUSES LUNG CANCER, COUGHING, PULMONARY EMPHYZEMA AND CHRONIC BRONCHITIS.

D) SMOKING CAUSES HEART ATTACKS.

E) SMOKING DURING PREGNANCY IS HARMFUL TO YOUR BABY'S HEALTH.

F) BOYS AND GIRLS START SMOKING WHEN THEY SEE ADULTS SMOKING.

G) SMOKING CIGARETTES INCREASES THE RISK OF THROMBOSIS.

H) SMOKING CAUSES IMPOTENCE IN MEN.

I) TAKE THE FIRST STEP TODAY, QUITTING SMOKING MAKES THINGS BETTER

IN 1 WEEK

YOU RECOVER YOUR SENSE OF SMELL AND TASTE

IN 3 MONTHS

PULMONARY FUNCTIONING IMPROVES BY 30%

IN 8 HOURS

THE EXCESS OF CARBON MONOXIDE HAS LEFT YOUR ORGANISM

IN 12 MONTHS

THE RISK OF HEART DISEASE IS CUT IN HALF

IN 12 MONTHS

THE RISK OF CANCER-RELATED DISEASES IS CUT IN HALF

IN 1 YEAR

THE SMOKER OF A PACK A DAY SAVES MORE THAN 7 MINIMUM

SALARIES

J) CIGARETTE SMOKE ALSO AFFECTS PEOPLE WHO DON'T SMOKE.



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K) SMOKING CIGARETTES INCREASES THE RISK OF BREAST CANCER.

L) SMOKING CIGARETTES CAUSES CANCER OF THE LARYNX.

The texts indicated in item 4 of this article must be preceded by the statement: "The Ministry of People's Power for Health warns," and will be subject to revisions and modifications by the Ministry of People's Power for Health.

**ARTICLE 5.** The size of the warning must be proportional to the size of the frame containing it, which shall occupy one hundred percent (100%) of one of the front surfaces of the cigarette pack, of which seventy percent (70%) shall be occupied by the image and thirty percent (30%) shall be allocated for the text of the warning, and in the lower part of the other front surface thirty percent (30%) for the text warning. These texts must be written in white characters on a black background, or vice versa, and be easily legible.

For "hard" cigarette packs, the health warning occupying thirty percent (30%) of the text in the lower part of the front surface that does not contain the image should be located on the side of the pack opening in such a way that it is not possible to disrupt the unity of the image for the health warning by opening the pack.

All packages containing cigarettes in a manner other than those established herein, must occupy a total of not less than fifty percent (50%) of the total surface of the package, regarding the warnings and specifications of product content.

**ARTICLE 6.** Singular or plural use on packages of terms such as the following is prohibited: class, level (low, ultra-low, mild, light, soft, easy, high and hard, among others) and any other descriptive allusion to the levels of toxic products contained in cigarettes and their risks to health.

**ARTICLE 7.** Cigarette packs must display on one hundred percent (100%) of the upper part of one of their lateral surfaces the classification of the substances of which the cigarettes are composed, stating: "This product contains tar, nicotine and carbon monoxide, which



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are carcinogenic and toxic," and, "There are no safe levels for the consumption of these substances." These statements must be easily legible and are to be written in white characters on a black background or in black characters on a white background.

**ARTICLE 8.** The new images are to be published on the website of the Ministry of People's Power for Health [www.mpps.gob.ve](http://www.mpps.gob.ve), as of the date of publication of this Resolution in the *Gaceta Oficial* of the Bolivarian Republic of Venezuela.

**ARTICLE 9.** Companies that produce or import cigarettes shall have a period of three (03) months to comply with what is set forth in this Resolution, counting from the date of its publication in the *Gaceta Oficial* of the Bolivarian Republic of Venezuela.

**ARTICLE 10.** Products manufactured or imported prior to the period established in the previous article, that have been distributed to points for sale for consumers can be commercialized for a maximum period of nine (09) months counting from the entry into force of this Resolution.

**ARTICLE 11.** It is incumbent upon the Autonomous Service of Health Oversight to see to the fulfilment of this Resolution, and for such purpose it shall have the broadest powers so that in the event of non-compliance with, or violation of, the provisions set forth in this Resolution, it can impose, pursuant to the terms and conditions established in Articles 65, 66 and 67 of the Organic Law of Health, such restraining measures and administrative sanctions as may be appropriate, in accordance with the nature and seriousness of the offense.

**ARTICLE 12.** The following Resolutions are hereby rescinded: number 110, dated March 22, 2004, published in the *Gaceta Oficial* of the Bolivarian Republic of Venezuela, number 37.904, dated March 23, 2004, and number 056, dated April 03, 2009, published in the *Gaceta Oficial* of the Bolivarian Republic of Venezuela, number 39.153, dated April 03, 2004, as well as any other provision that may be at variance with this Resolution.



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**ARTICLE 13.** This Resolution shall enter into force as of its publication in the *Gaceta Oficial* of the Bolivarian Republic of Venezuela.

Let notification be given hereof, and let this be published,

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**FRANCISCO A. ARMADA PÉREZ**  
**Ministry of People's Power for Health**  
Decree N° 558 of November 05, 2013, Gaceta  
Oficial N° 40.287 of November 05, 2013