Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

20 December 2018 [shall come into force on 29 December 2018];

4 April 2019 [shall come into force on 1 July 2019];

21 May 2020 [shall come into force on 17 June 2020];

18 May 2023 [shall come into force on 23 October 2023];

11 January 2024 [shall come into force on 8 February 2024].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on the Handling of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices and Their Liquids**

[*11 January 2024*]

**Section 1. Terms Used in this Law**

The following terms are used in this Law:

1) **flavouring** – an additive that imparts smell or taste;

2) **herbal product for smoking**– a product based on plants, herbs or fruit which contains no tobacco and which can be consumed via a combustion or heating process;

3) **outside packaging** – any packaging in which a tobacco product, tobacco substitute product, herbal product for smoking, electronic smoking device, or refill container is placed on the market and which includes unit packets or an aggregation of unit packets, except for the transparent wrapper;

4) **smokeless tobacco product** – a tobacco product the use of which does not involve a combustion process; a smokeless tobacco product which is intended for chewing only, i.e. chewing tobacco; a smokeless tobacco product which may be used via nose, i.e. nasal tobacco; any tobacco products for oral use, made wholly or partly of tobacco, in powder or in particulate form or in any combination of those forms, particularly those presented in sachet portions or porous sachets, except for those intended to be inhaled or chewed, i.e. tobacco for oral use;

5) **health warning** – a warning concerning the adverse effects on human health of a product or other undesired consequences of its consumption, including text warnings, combined health warnings, general warnings and information messages;

6) **tar** – raw anhydrous nicotine-free condensate of smoke;

7) **electronic smoking device** is:

a) electronic cigarette which is a product that can be used for consumption of nicotine-containing vapour via a mouthpiece, or any component of that product, including a cartridge, a tank and the device without a cartridge or tank, and which can be disposable or refillable by means of a refill container and a tank, or rechargeable with single use cartridges;

b) electronic device which is a product or a component of that product, including a cartridge, a tank and the device without a cartridge or tank, which can be used for consumption of nicotine-free vapour via a mouthpiece and which can be disposable or refillable by means of a container which is filled with nicotine-free liquid, and a tank, or rechargeable with single use cartridges;

c) electronic heating device which is a product or a component of that product intended for use with a novel tobacco product, tobacco substitute product, herbal product for smoking, or any other product (excluding medicinal products) for consumption of nicotine-containing or nicotine-free vapour via a mouthpiece;

8) **refill container** is:

a) a refill container in which a nicotine-containing liquid is filled in which can be used to refill an electronic cigarette;

b) a container in which a nicotine-free liquid is filled in which can be used to refill an electronic smoking device;

9) **emission** – a substance that is released when tobacco, tobacco products, herbal products for smoking, electronic smoking devices, or refill containers are consumed as intended, such as substances found in smoke, or substances released during the process of using smokeless tobacco products;

10) **unit packet** – the smallest individual packaging of a tobacco product, tobacco substitute product, herbal product for smoking, electronic smoking device, or refill container that is placed on the market;

11) **importer** – a person owning the tobacco, tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, or refill containers that have been brought into the territory of a European Union Member State or a country of the European Economic Area or having the right to handle them;

12) **novel tobacco product** – a smokeless tobacco product or a tobacco product for smoking which does not fall into any of the following categories – cigarettes, roll-your-own tobacco, pipe tobacco, waterpipe tobacco, cigars, cigarillos, chewing tobacco, nasal tobacco or tobacco for oral use – and which has been placed on the market after 19 May 2014;

121) **heated tobacco product** – a novel tobacco product which is consumed via heating process in order to release emissions containing nicotine and other chemical substances which are inhaled by a consumer and which, according to its properties, is a smokeless tobacco product or a tobacco product for smoking;

13) **combined health warning** – a health warning consisting of a combination of a text warning and a corresponding photograph or illustration;

14) **placing on the market** – to make products, irrespective of their place of manufacture, available to consumers, including retail outlets, with or without payment, including by means of distance sale;

15) **pouch** – a unit packet of roll-your own tobacco, either in the form of a rectangular pocket with a flap that covers the opening or in the form of a standing pouch;

16) **maximum emission level** – the maximum content or emission, including zero, of a substance in a tobacco product measured in milligrams;

17) **retail outlet** – any retail outlet where tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, or refill containers are placed on the market, including with the intermediation of a natural person;

18) **nicotine** – nicotinic alkaloids, strong poison endangering the nervous system which causes habit and addiction from it;

19) **additive** – a substance, other than tobacco, that is added to a tobacco product, a unit packet or to any outside packaging;

20) **public building or structure** – a building or structure in which more than 50 per cent of the total area is occupied by public space;

21) **public space** – non-residential space available to the public in which visitors may stay for a short period of time and receive different services;

22) **characterising flavour** – a clearly noticeable smell or taste other than one of tobacco, resulting from an additive or a combination of additives, including, but not limited to, fruit, spice, herbs, alcohol, candy, menthol or vanilla, which is noticeable before or during the consumption of the tobacco product;

23) **manufacturer** – any natural or legal person who manufactures a product or has a product designed or manufactured, and markets that product under their name or trademark;

24) **advertising** – any form of commercial communications (for example, printed work, posters, adhesives, advertising images on walls, radio broadcasts and television broadcasts, clips, films, and videos) and also an activity with the objective or direct or indirect effect of promoting the purchase or consumption of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, or refill containers, including placement of products in retail outlets, using different effects promoting consumption [for example, words (slogans), shapes, images, colours, light and sound effects];

25) **ingredient** – tobacco, an additive, and also any substances or elements present in a finished tobacco product, tobacco substitute product, herbal product for smoking, electronic smoking device, or refill container, including paper, filter, ink, cartridges, and adhesives;

26) **smoking** – use of a tobacco product, herbal product for smoking, or novel tobacco product in a way that it may be inhaled, as a result which smoke is released, or use of an electronic smoking device, novel tobacco product, or another product (excluding medicinal products) with the purpose of intentional inhaling of nicotine via a mouthpiece, or vapour or smoke containing other chemical substances;

27) **tobacco products for smoking** – tobacco products which are not smokeless tobacco products, also cigarettes, cigarillos, cigars, tobacco products which can be consumed via combustion or heating process, and tobacco intended exclusively for use in a pipe (pipe tobacco), tobacco which may be used by consumers or retail outlets for making cigarettes (roll-you-own tobacco), a tobacco product which can be consumed using a waterpipe (waterpipe tobacco). If the product may be used in both waterpipes and as a roll-your-own tobacco, it shall be considered as roll-your-own tobacco;

28) **addictiveness** – the pharmacological potential of a substance to cause addiction – a state which affects an individual’s ability to control his or her behaviour, typically by instilling a reward or a relief from withdrawal symptoms, or by instilling a reward and a relief from withdrawal symptoms;

29) **sponsorship** – any form of public or private contribution to any event, activity, or individual with the objective of direct or indirect promotion of purchasing and consumption of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, or refill containers;

30) **tobacco** – leaves and other natural processed or unprocessed parts of tobacco plants, including expanded and reconstituted tobacco;

301) **tobacco substitute product** – a nicotine-containing or nicotine-free product (excluding medicinal products, tobacco products, herbal products for smoking, electronic smoking devices, and their refill containers) intended for similar use or similar purposes as tobacco products, herbal products for smoking, smokeless tobacco products, electronic smoking devices, and their refill containers, regardless of the nicotine content in these products and the method for use thereof;

31) **tobacco product** – a product that can be consumed and which even partly consists of genetically modified or non-modified tobacco;

32) **room specially designated for smoking** – a separate room intended for smoking which is marked in the technical inventory plan of the building as a structurally separated room and is equipped with ventilation so that the smoke or vapour would not get in other rooms. A relevant information message or symbol is in this room. Primary services of the institution, economic operator, any other legal person, or self-employed person are not provided therein;

33) **toxicity** – the degree to which a substance can cause harmful effects in the human organism, including effects occurring over time, usually through repeated or continuous consumption or exposure;

34) **place specially designated for smoking**– a territory outside buildings in an open-air space equipped with a relevant information message or symbol and corresponding to the requirements of fire safety regulations.

[*4 April 2019; 18 May 2023; 11 January 2024 /* *Amendment to Clause 2 in respect of the definition of heated herbal products for smoking shall come into force on 1 August 2024. See Paragraph 15 of Transitional Provisions*]

**Section 2. Purpose, Scope of Activity, and Principles of the Law**

(1) The purpose of this Law is to protect public health, including the right of persons to live in a clean and favourable environment which has not been polluted by smoke from tobacco products for smoking and herbal products for smoking, as well as from vapour of electronic smoking devices.

(2) This Law provides for:

1) the conditions for the placing on the market of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and their refill containers and also the conditions for advertising, sponsorship, and presentation of the packaging of tobacco products, tobacco substitute products, electronic smoking devices, and their refill containers;

2) the obligation for manufacturers and importers to provide information regarding tobacco products, tobacco substitute products, herbal products for smoking, electronic cigarettes, refill containers, and novel tobacco products;

3) the restrictions on smoking and use of tobacco substitute products and smokeless tobacco products in public places and other places specified in this Law;

4) the procedures for controlling the handling of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and their refill containers, and also the restrictions on smoking and use of tobacco substitute products and smokeless tobacco products in public places and other places specified in this Law.

(3) The following principles shall be respected in the application of the norms of this Law:

1) the smoker shall respect the rights of other persons to live in a clean and favourable environment which has not been polluted by smoke from tobacco products for smoking and herbal products for smoking, as well as from vapour of electronic smoking devices;

2) the person rights to breathe clean and favourable air which has not been polluted by smoke from tobacco products for smoking and herbal products for smoking, as well as from vapour of electronic smoking devices, moreover, the rights to non-elevated risk of illnesses caused by smoking (including secondary inhaling of tobacco smoke and vapour of electronic smoking devices) are of priority in comparison to the interest of smokers to smoke.

[*4 April 2019; 11 January 2024*]

**Section 3. Restrictions on the Placing on the Market of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices, and Refill Containers**

(1) The following may not be placed on the market:

1) nasal tobacco and chewing tobacco;

2) tobacco products for oral use;

3) tobacco products, herbal products for smoking, electronic cigarettes, refill containers, and novel tobacco products regarding which information has not been submitted in accordance with that specified in Section 5, Paragraphs one and two of this Law and payment has not been made for processing of the provided information according to the price list for paid services of the Health Inspectorate;

4) tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, refill containers, and novel tobacco products which do not conform to the requirements of this Law;

5) cigarette unit packets holding fewer than 20 cigarettes;

6) unit packets of roll-your-own tobacco holding fewer than 30 grams of tobacco;

7) tobacco substitute products in respect of which information has not been submitted to the Health Inspectorate in accordance with Section 5.1 of this Law and payment has not been made for the processing of the provided information according to the price list of the paid services of the Health Inspectorate;

8) liquids of electronic smoking devices and tobacco substitute products containing flavourings, except for flavourings imparting tobacco smell or taste. The permitted flavourings imparting tobacco smell or taste have been specified in the Annex to this Law.

(2) Tobacco products may not be placed on the market if:

1) they contain vitamins or other additives that create the impression that a tobacco product has a health benefit or presents reduced health risks;

2) they contain caffeine or taurine or other additives and stimulant compounds that are associated with energy and vitality;

3) they contain additives having colouring properties for emissions;

4) tobacco products for smoking, also novel tobacco products, contain additives that facilitate inhalation or nicotine uptake, including menthol, its analogues, and geraniol;

5) they contain additives that have carcinogenic, mutagenic, reprotoxic properties in unburnt form;

6) the provisions provided for in Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC have not been applied to them

7) they contain additives in quantities that during the consumption of such products the toxic or addictive effect or the carcinogenic, mutagenic, reprotoxic properties of the tobacco product increase significantly or to a measurable degree, and it is scientifically justified.

(3) Cigarettes may not be placed on the market if:

1) the maximum level of tar emissions therein exceeds 10 milligrams per cigarette;

2) the maximum level of nicotine emissions therein exceeds one milligram per cigarette;

3) the maximum level of carbon monoxide emissions therein exceeds 10 milligrams per cigarette;

4) they do not conform to the combustion and fire safety requirements in respect of self-extinguishing cigarettes.

(4) It is prohibited to place on the market cigarettes, roll-your-own tobacco, and heated tobacco products:

1) with a characterising flavour. The prohibition shall not apply to the additives which are essential for the manufacture of cigarettes, roll-your-own tobacco, and heated tobacco products, provided that those additives do not result in a product with a characterising flavour and do not increase to a significant or measurable degree the addictiveness, toxicity or the carcinogenic, mutagenic, reprotoxic properties of the tobacco product;

2) filters, papers, packages, cartridges of which contain flavourings or any technical features allowing modification of the smell or taste of the tobacco products concerned or intensity of their smoke. Filters, papers and cartridges shall not contain tobacco or nicotine.

(5) It shall be permitted to place electronic smoking devices, refill containers, and nicotine-containing or nicotine-free liquid on the market only in such case if they conform to the following requirements:

1) the nicotine-containing or nicotine-free liquid is placed in dedicated refill containers the volume of which does not exceed 10 millilitres, or in single-use electronic smoking devices or in single use cartridges and the volume of such cartridges or tanks of electronic smoking devices does not exceed two millilitres;

2) the maximal nicotine concentration in the nicotine-containing liquid is 20 milligrams per millilitre;

3) the nicotine-containing or nicotine-free liquid does not contain the additives listed in Paragraph two, Clauses 1, 2, 3, 4, and 5 of this Section;

4) only ingredients of high purity are used in the manufacture of the nicotine-containing or nicotine-free liquid. Any other ingredients (other than the ingredients which are in an electronic cigarette or refill container, or in exhaust emerging as a result of consuming electronic cigarettes) regarding which it has not been notified in accordance with that specified in Section 5, Paragraphs one and two of this Law, shall only be present in the nicotine-containing or nicotine-free liquid in trace levels, if such traces are technically unavoidable during manufacture;

5) only such ingredients are used in the nicotine-containing or nicotine-free liquid which do not pose a risk to human health in heated or unheated form. This Clause shall not apply to nicotine;

6) electronic cigarettes deliver nicotine doses at consistent levels under normal conditions of use;

7) electronic smoking devices and refill containers are child- and tamper-proof, they are protected against breakage and leakage and have a mechanism that ensures refilling without leakage. The technical standards for the refill mechanism shall be stipulated by the Cabinet.

(51) Tobacco substitute products may be placed on the market only if they meet the following requirements:

1) these substitute products are packaged in dedicated packets, and the mass of the unit packet does not exceed 20 grams;

2) one unit packet of the tobacco substitute product contains at least 20 tobacco substitute products;

3) the maximum nicotine concentration in the tobacco substitute product does not exceed four milligrams per gram;

4) they do not contain vitamins or other ingredients which create the impression that the tobacco substitute product has a health benefit or presents reduced health risks;

5) they do not contain caffeine, taurine, or other ingredients and stimulant compounds that are associated with energy and vitality;

6) they do not contain any ingredients that facilitate nicotine uptake;

7) they do not contain any ingredients that are carcinogenic, mutagenic and toxic to reproduction;

8) only ingredients of high purity that do not pose a threat to human health are used in the manufacture of tobacco substitute products. Ingredients or additives that have adverse effects on human health shall not be used. This Clause shall not apply to nicotine;

9) packagings of tobacco substitute product are child- and tamper-proof.

(6) The expenses which are related to the evaluation whether cigarettes or roll-your-own tobacco has a characterising flavour, or prohibited additives or flavourings are used in tobacco products, tobacco substitute products, and liquids of electronic smoking devices, and whether tobacco products, tobacco substitute products, and liquids of electronic smoking devices contain additives in such quantities which, to a significant or measurable degree, increase the toxic or addictive effect of the relevant tobacco product, tobacco substitute product, and liquid of electronic smoking devices, or the additive has carcinogenic, mutagenic, reprotoxic properties, shall be covered by manufacturers and importers according to the price list of paid services of the Health Inspectorate. For the testing of tobacco products, tobacco substitute products, and liquids of electronic smoking devices at an accredited laboratory upon request of the Health Inspectorate, the manufacturers and importers shall make a payment to the relevant laboratory.

[*4 April 2019; 18 May 2023; 11 January 2024 /* *Clauses 7 and 8 of Paragraph one and Paragraph 5.1 shall come into force on 1 January 2025.* *See Paragraphs 23 and 24 of Transitional Provisions*]

**Section 3.1 Restrictions on the Release for Free Circulation of Tobacco Products**

The goods referred to in Section 3, Paragraph one, Clauses 1 and 2 of this Law that are not allowed to be placed on the market shall be prohibited from being released for free circulation within the meaning of the laws and regulations in the field of customs, except for the release for free circulation thereof for the purpose of delivering the goods to the recipient in another Member State and releasing the goods for free circulation with partial transfer for consumption if the goods are placed in a tax warehouse.

[*11 January 2024*]

**Section 4. Conformity Assessment of Cigarettes**

(1) The maximum levels of nicotine, tar, and carbon monoxide emissions in cigarettes shall be measured on the basis of:

1) the standard LVS ISO 10315 “Cigarettes – Determination of nicotine in smoke condensates – Gas-chromatographic method” for nicotine;

2) the standard LVS ISO 4387 “Cigarettes – Determination of total and nicotine-free dry particulate matter using a routine analytical smoking machine” for tar;

3) the standard LVS ISO 8454+A1 “Cigarettes – Determination of carbon monoxide in the vapour phase of cigarette smoke – NDIR method”.

(2) The accuracy of nicotine, tar, and carbon monoxide quantities shall be determined according to the standard LVS ISO 8243 “Cigarettes – Sampling”.

(21) The reduced ignition propensity requirements for cigarettes are determined by standard LVS EN 16156 “Cigarettes – Assessment of the ignition propensity – Safety requirements” and its testing method is determined by standard LVS EN ISO 12863 “Standard test method for assessing the ignition propensity of cigarettes”.

(3) Laboratories in which manufacturers, wholesalers, or importers of tobacco products (tobacco industry) do not own capital shares (stocks) or which are not in their direct or indirect control and which have been accredited at the national accreditation institution in accordance with the laws and regulations regarding assessment, accreditation, and supervision of conformity assessment institutions, as well as laboratories notified by other European Union Member States or states of the European Economic Area in the field of tobacco products are entitled to check the emission levels of the substances referred to in Section 3, Paragraph three of this Law.

(4) Cigarette samples shall be tested by laboratories upon request of the Health Inspectorate. Testing laboratories shall inform the Health Inspectorate of the testing results. Expenses which are related to sample selection and testing shall be covered by manufacturers and importers by making a payment to the Health Inspectorate according to the price list of paid services and to the relevant laboratory. If cigarettes of the same brand and type have a different nicotine, tar, or carbon monoxide level or cigarettes have been manufactured at different places of manufacture, the Health Inspectorate has the right to request that a check is performed for each such type of cigarettes.

(5) Manufacturers and importers shall ensure that cigarettes are tested in accordance with the standards specified in Paragraph 2.1 of this Section. Prior to placing cigarettes on the market, manufacturers and importers shall submit to the Health Inspectorate testing reports issued by accredited laboratories together with an assessment demonstrating that the cigarettes conform to the requirements laid down in Section 3, Paragraph three, Clause 4 of this Law. The Health Inspectorate has the right to select and test samples of cigarettes in order to control the conformity of cigarettes with the reduced ignition propensity requirements.

[*11 January 2024*]

**Section 5. Reporting of Tobacco Products, Herbal Products for Smoking, Electronic Cigarettes, and Refill Containers**

(1) Manufacturers and importers shall provide information to the Health Inspectorate regarding tobacco products, electronic cigarettes, and refill containers which have already been placed on the market, and regarding tobacco, products, herbal products for smoking, electronic cigarettes, refill containers, and novel tobacco products which are planned to be placed on the market or for which the composition is being altered, as well as if new information is provided or the information submitted regarding novel products is being updated. Manufacturers and importers shall make a payment, according to the price list of paid services of the Health Inspectorate, regarding processing of the provided information regarding tobacco products, electronic cigarettes, and refill containers.

(2) The Cabinet shall determine the amount of information to be provided regarding tobacco products, herbal products for smoking, electronic cigarettes, and their refill containers, as well as regarding novel tobacco products, the procedures by which manufacturers and importers shall provide such information, as well as the requirements for data processing, analysing, storage, and publishing.

(3) The manufacturers, importers, and distributors of electronic cigarettes and refill containers shall establish and maintain a system for collecting information about all of the suspected adverse effects these products have on human health. If the manufacturer, importer, or distributor considers or has reason to believe that electronic cigarettes or refill containers, which are in their possession and are intended to be placed on the market or are placed on the market, are not safe or are not of good quality or are otherwise not in conformity with good quality requirements, it shall immediately take the corrective action necessary to bring the product concerned into conformity with this Law, to withdraw or to recall it, as appropriate. Concurrently the manufacturer, importer, or distributor shall inform the Health Inspectorate thereof, giving details, in particular, of the risk to human health and safety and of any corrective action taken, and of the results of such corrective action.

(4) If electronic cigarettes and refill containers conform to the requirements of this Law but the Health Inspectorate believes or has reasonable grounds to believe that the specific type of the product could pose a serious risk to human health, it shall take appropriate measures provided for by law and shall immediately notify the European Commission and other competent authorities of European Union Member States and countries of the European Economic Area thereof, providing all the supporting data and information regarding the measures taken.

**Section 5.1 Reporting on Tobacco Substitute Products**

(1) Manufacturers and importers shall provide information to the Health Inspectorate on the tobacco substitute products which have already been placed on the market and on the tobacco substitute products which are planned to be placed on the market or for which the composition is being altered, as well as if new information is provided or the information submitted is being updated. The procedures by which the manufacturers and importers provide information on the tobacco substitute products and the amount of information to be provided shall be determined by the Cabinet. Manufacturers and importers shall, according to the price list of paid services of the Health Inspectorate, make a payment for the processing of the provided information on the tobacco substitute products.

(2) Prior to commencing the sale of tobacco substitute products, an economic operator shall notify the Health Inspectorate thereof. The procedures by which an economic operator notifies the Health Inspectorate of the sale of tobacco substitute products shall be determined by the Cabinet.

[*11 January 2024* / *Section shall come into force on 1 August 2024; see Paragraph 19 of Transitional Provisions*]

**Section 6. Presentation of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices, and Refill Containers and Appearance and Content of Unit Packets**

(1) The labelling of unit packets of tobacco products, any outside packaging and the tobacco product itself shall not include any elements (for example, texts, symbols, titles, trademarks, graphic or other sign) that:

1) promote a tobacco product or encourage its consumption by creating an erroneous impression about its characteristics, health effects, risks or emissions;

2) include information about the nicotine, tar or carbon monoxide content of the tobacco product;

3) suggest that a particular tobacco product is less harmful than others or aim to reduce the effect of some harmful components of smoke or has vitalising, energetic, healing, rejuvenating, natural, organic properties or has other health or lifestyle benefits;

4) refer to taste, smell, any flavourings or other additives or the absence thereof;

5) resemble a food or a cosmetic product;

6) suggest that a certain tobacco product has improved biodegradability or other environmental advantages.

(2) The unit packets of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices and their refill containers and any outside packaging shall not include any elements (for example, texts, symbols, names, trademarks, graphic or other signs) that suggest economic advantages, for example, by including discount vouchers, offering discounts, information regarding free distribution, bulk discount, and other similar offers.

(3) The labelling of unit packets of herbal products for smoking and any outside packaging shall not include any statement that the product is free of additives or flavourings, as well as such elements (for example, texts, symbols, names, trademarks, graphic or other signs) that:

1) promote a herbal product for smoking or encourage its consumption by creating an erroneous impression about its characteristics, health effects, risks or emissions;

2) include information about the nicotine, tar or carbon monoxide content;

3) suggest that a particular herbal product for smoking is less harmful than others or aim to reduce the effect of some harmful components of smoke or has vitalising, energetic, healing, rejuvenating, natural, organic properties or has other health or lifestyle benefits;

4) resemble a food or a cosmetic product.

(4) It is prohibited to place such elements on a unit packet and any outside packaging of electronic smoking devices and refill containers (for example, texts, symbols, names, trademarks, graphic or other signs) which:

1) promote electronic smoking devices or refill containers or encourage their consumption by creating an erroneous impression about the characteristics, health effects, risks, or emissions of the respective electronic smoking devices or refill containers. The labelling shall not include information about the nicotine, tar, and carbon monoxide content, except the information about nicotine indicated in accordance with Paragraph five, Clause 1 of this Section;

2) suggest that a particular electronic smoking device or refill container is less harmful than others or aim to reduce the effect of some harmful components of smoke or have vitalising, energising, healing, rejuvenating, natural, organic properties or that they are in any other way beneficial to health or lifestyle;

3) refer to taste, smell, any flavourings or other additives or the absence thereof, except information about flavourings which has been indicated in accordance with Paragraph five, Clause 1 of this Section;

4) resemble a food or a cosmetic product;

5) suggest that a certain product has improved biodegradability or other environmental advantages.

(41) The labelling of unit packets of tobacco substitute products and any outside packaging shall not include any elements (for example, texts, symbols, names, trademarks, graphic or other signs) that:

1) promote tobacco substitute products or encourage their consumption by creating an erroneous impression about the characteristics, health effects, or threats of the respective tobacco substitute products;

2) suggest that the specific tobacco substitute product is less harmful than others, it has vitalising, energising, healing, rejuvenating, natural, organic properties or that it is in any other way beneficial to health or lifestyle;

3) refer to taste, smell, any flavourings or other additives or the absence thereof, except information regarding flavourings that has been indicated in accordance with Paragraph 5.1, Clause 1 of this Section;

4) resemble a food or a cosmetic product;

5) suggest that the specific product has improved biodegradability or other environmental advantages.

(5) The following information shall be indicated on the unit packet and any outside packaging of electronic smoking devices and refill containers:

1) a list of all ingredients contained in the product in descending order of the weight, and an indication of the nicotine content of the product and the delivery per dose;

2) the batch number;

3) a recommendation to keep the product out of reach of children.

(51) The following information shall be indicated on the unit packet and any outside packaging of tobacco substitute products:

1) a list of all ingredients in the product in descending order, and the amount of nicotine per unit packet and per tobacco substitute product;

2) the mass of the tobacco substitute product per unit packet;

3) the batch number;

4) a recommendation to keep the product out of the reach of children.

(6) An informative leaflet shall be appended to each unit of electronic smoking devices and refill containers, containing:

1) instructions for use and storage of the product, including a reference that the product is not recommended for use by young people and non-smokers;

2) information about contra-indications;

3) warnings for specific risk groups;

4) possible adverse effects;

5) addictiveness and toxicity;

6) contact information of the manufacturer or importer and of legal or natural persons within the European Union and the European Economic Area.

(61) An informative leaflet shall be appended to each unit packet of tobacco substitute products, containing:

1) instructions for use and storage of the product, including a reference that the product is not recommended for use by young people and non-smokers;

2) reference that the product is not recommended for use simultaneously with other nicotine-containing products;

3) information about contra-indications;

4) warnings for specific risk groups;

5) possible adverse effects;

6) addictiveness and toxicity;

7) contact information of the manufacturer or importer and of legal or natural persons within the European Union and the European Economic Area.

(7) A unit packet of cigarettes shall have a cuboid shape, and such unit packet shall be made of carton or soft material with an opening that cannot be re-closed or re-sealed after it is first opened, other than the flip-top lid and shoulder box with a hinged lid. For packets with a flip-top lid and hinged lid, the lid shall be hinged only at the back of the unit packet.

(8) Unit packets of roll-your-own tobacco shall have a cuboid or cylindrical shape, or the form of a pouch.

(9) An excise duty stamp shall be attached to each unit packet of a tobacco product, tobacco substitute product, and herbal product for smoking which is placed on the market. If there is a closed transparent additional wrapper, the excise duty stamp shall be attached underneath it. The excise duty stamp for unit packets of herbal products for smoking which are placed on the market, may be attached on the closed transparent additional wrapper.

(10) The following shall be placed on each unit packet of a tobacco product which is placed on the market:

1) a unique identifier which is irremovably printed or affixed, indelible and not hidden or interrupted in any form, including through tax stamps or price marks, or by the opening of the unit packet;

2) a tamper proof security feature, composed of visible and invisible elements, which is irremovably printed or affixed, indelible and not hidden or interrupted in any form, including through tax stamps and price marks, or other elements imposed by legal acts.

(11) The Cabinet shall determine the competent authority referred to in Commission Implementing Regulation (EU) 2018/574 of 15 December 2017 on technical standards for the establishment and operation of a traceability system for tobacco products (Text with EEA relevance) (hereinafter – Implementing Regulation No 2018/574) and the requirements for ensuring the operation of a tobacco product tracing system.

(12) The excise duty stamp shall fulfil the function of a safety feature. Safety features other than excise duty stamps shall be used if permitted by the law On Excise Duty. The Cabinet shall determine the composition of such safety features, the method of addition to the unit packets of tobacco products, the requirements for ensuring the elements of authenticity, including the submission of samples of unit packets of tobacco products.

(13) The following is prohibited on the unit packet of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and refill containers and any outside packaging:

1) depiction of the symbols of the State of Latvia;

2) depiction of natural persons, other than the natural persons depicted on the combined warnings;

3) use of cartoon images.

[*20 December 2018; 4 April 2019; 11 January 2024 /* *Paragraph 5.1 shall come into force on 1 January 2025.* *See Paragraph 24 of Transitional Provisions*]

**Section 7. Health Warnings to be Placed on the Packaging of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Cigarettes, and Refill Containers**

(1) Health warnings in the official language shall be placed on each unit packet or any outside packaging of a tobacco product, tobacco substitute product, herbal product for smoking, electronic cigarette, and refill containers which is placed on the market.

(2) The following health warnings shall be printed on each unit packet and any outside packaging of a tobacco product for smoking:

1) general warning: “Smoking kills – quit now!”;

2) information message: “Tobacco smoke contains over 70 substances known to cause cancer”;

3) combined health warning which has been supplemented with the following information regarding smoking cessation: “Ask for help! 67037333; www.spkc.gov.lv”.

(3) The following health warning shall be printed on each unit packet and any outside packaging of a smokeless tobacco product: “This tobacco product damages your health and is addictive”.

(4) The following health warning shall be printed on each unit packet and any outside packaging of a herbal product for smoking: “Smoking this product damages your health”.

(5) The following health warning shall be printed on each unit packet and any outside packaging of an electronic cigarette and refill container: “This product contains nicotine which is a highly addictive substance”.

(51) The following health warning shall be printed on each unit packet and outside packaging of the tobacco substitute product: “This product damages your health and is addictive”.

(6) The Cabinet shall determine the requirements for drawing up and laying out the health warnings to be placed on the packaging of tobacco products, tobacco substitute products, herbal products for smoking, electronic cigarettes, and refill containers, written warnings, combined health warnings to be placed on the unit packets and outside packaging of tobacco products for smoking, tobacco substitute products, as well as the procedures by which the manufacturer or importer shall report on the placement of such combined warnings.

[*11 January 2024 /* *Paragraph 5.1 shall come into force on 1 January 2025.* *See Paragraph 24 of Transitional Provisions*]

**Section 8. Procedures for the Handling of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices, and Refill Containers**

(1) Tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and refill containers may not be sold:

1) in the premises of State administration institutions, except the National Armed Forces, and also prisons where persons of legal age have been placed;

2) at social care, medical treatment and educational institutions, including service hotels of educational institutions, as well as the territories used by such institutions;

3) at shop departments where goods for children are sold;

4) at cultural institutions;

5) at sports bases and premises of sports organisations;

6) at retail outlets where trade is not organised, individually servicing each customer, except for duty-free shops which have been specified in the laws and regulations governing the customs field;

7) using automatic vending machines;

8) in territories to which, in accordance with specified procedures, the status of a market has been assigned.

(2) Tobacco products, tobacco substitute products, electronic smoking devices, and their refill containers may not be sold to the consumer and the consumer may not purchase them using means of distance communication, including outside the territory of a European Union Member State or a country of the European Economic Area.

(21) The State Revenue Service shall confiscate tobacco products, tobacco substitute products, electronic smoking devices, and their refill containers that are sent in commercial postal shipments from third countries and their recipient is a natural person.

(3) Tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and refill containers may not be sold to the persons under 20 years of age and such persons may not purchase them. In order to verify the age of the person, the retailer has an obligation to demand the person to present a personal identification document.

(4) A person who is from 20 to 25 years of age, when purchasing tobacco products, tobacco substitute products, herbal products for smoking, an electronic smoking device, or a refill container has the obligation to present a personal identification document to the retailer regardless of whether the retailer has demanded it.

(5) Tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and refill containers may not be sold to persons regarding whose age the retailer has justified doubts and who do not present a personal identification document upon request of the retailer.

(6) Upon request of the controlling authority, the purchaser of a tobacco product, a tobacco substitute product, a herbal product for smoking, an electronic smoking device, or a refill container shall present a personal identification document.

(7) Persons who are under 18 years of age may not be involved in the placing on the market of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and refill containers.

(8) Such text shall be visible at retail outlets of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and refill containers which warns that the use of tobacco products, tobacco substitute products, herbal products for smoking, and electronic smoking devices seriously damages human health.

(9) An economic operator who is engaged in selling electronic cigarettes and refill containers, shall notify the Health Inspectorate of commencing the sale of such products prior to commencing it. The procedures by which an economic operator shall notify the Health Inspectorate prior to commencing selling of electronic cigarettes and refill containers of electronic cigarettes shall be determined by the Cabinet.

[*4 April 2019; 11 January 2024 /* *Amendment to Paragraphs three and four of the Section shall come into force on 1 January 2025.* *See Paragraph 21 of Transitional Provisions*]

**Section 9. Restrictions on Advertising and Sponsorship of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices, and Refill Containers**

(1) Advertising of tobacco products, tobacco substitute products, electronic smoking devices, and refill containers shall be permitted only in publications which are intended for economic operators engaged in the selling of such products and also in publications issued and printed in countries which are not European Union Member States or countries of the European Economic Area and are not intended for the market of European Union Member States or countries of the European Economic Area.

(2) Merchants whose main field of activity is manufacturing or selling of tobacco products, tobacco substitute products are prohibited from the sponsorship of measures or activities which is related to several European Union Member States or countries of the European Economic Area that takes place in several European Union Member States or countries of the European Economic Area or that has other cross-border impact. Merchants whose main field of activity is the manufacturing or selling of electronic smoking devices and refill containers are prohibited from the sponsorship of measures, activities, or individuals which is related to several European Union Member States or countries of the European Economic Area, which takes place in several European Union Member States or countries of the European Economic Area, or which has other cross-border impact.

(3) Audial and audiovisual commercial notifications which are related to tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and refill containers shall be governed by the Electronic Mass Media Law.

(4) It is prohibited to:

1) depict a person smoking and consuming tobacco substitute products and smokeless tobacco products in an advertisement;

2) distribute tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and refill containers free of charge for advertising purposes;

3) manufacture and place on the market sweets, snacks, and also toys and other items attractive to the persons under 18 years of age which are visually resembling cigarettes or other tobacco products, tobacco substitute products, herbal products for smoking, or electronic smoking devices and may draw their attention to smoking or promote such products or their manufacturers;

4) manufacture and place on the market tobacco products, tobacco substitute products, herbal products for smoking, or electronic smoking devices which are visually resembling sweets, snacks, and also toys, thus drawing attention of the persons under 18 years of age to smoking or promote such products or their manufacturers.

(5) Tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, refill containers, and trademarks of such products, devices, and containers may not be placed in retail outlets so that customers could see these products, devices, containers, and the relevant trademarks. In order to ensure that the customers are informed of the availability and prices of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and refill containers, an information sheet shall be available at the retail outlet upon request of the customer where the name of the product, its price and quantity per one unit packet shall be indicated. The information sheet shall indicate a health warning which has been supplemented with the following information regarding smoking cessation and quitting tobacco substitute products or smokeless tobacco products: “Ask for help! 67037333; www.spkc.gov.lv”. The information sheet shall include a health warning according to the type of the product which is placed on the market in retail outlets:

1) for tobacco products for smoking – the warning text in Section 7, Paragraph two, Clause 1 of this Law;

2) for smokeless tobacco products – the warning text in Section 7, Paragraph three of this Law;

3) for herbal products for smoking – the warning text in Section 7, Paragraph four of this Law;

4) for electronic cigarettes – the warning text in Section 7, Paragraph five of this Law;

5) for tobacco substitute products – the warning text in Section 7, Paragraph 5.1 of this Law.

(6) The prohibition referred to in Paragraph five of this Section shall not apply to:

1) duty-free shops;

2) ships engaged on international voyages;

3) such retail outlets where only tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, refill containers, and other goods related to smoking (for example, lighters, pipes, ashtrays) are placed on the market if such retail outlets are located in structurally separated rooms with a separate entrance and the tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, refill containers, and the trademarks of such products, devices, and containers are not visible outside the relevant retail outlet.

[*4 April 2019; 11 January 2024 /* *Amendment regarding the supplementation of Paragraph five of the Section laying down additional requirements for information to be included in the information sheet shall come into force on 1 August 2024.* *See Paragraphs 17 and 18 of Transitional Provisions*]

**Section 10. Smoking Restrictions**

(1) An employer has an obligation to ensure the employee such a working place which is not polluted with smoke of tobacco products and herbal products for smoking and vapour of electronic smoking devices. The employee has the right to refuse to work in such working place where other employees are smoking, and such refusal may not be regarded as a violation of the work discipline or civil service rules.

(2) It is prohibited to smoke:

1) in the presence of a child and a pregnant woman;

2) in premises of educational institutions, service hotels of educational institutions, and instructional institutions, and in the territories in use of such institutions;

3) in premises of medical treatment institutions, social care and rehabilitation institutions, prisons and in places where detained persons are placed and stay, as well as in the territories of such institutions, except for places which are specially designated for smoking. It shall be permitted to smoke in a room which has been specially designated for smoking, in premises of prisons and in places where detained persons are placed and stay in cases when it is not possible to ensure a possibility for the detained person to smoke in a place which is specially designated for smoking;

4) less than 10 metres from entrances into buildings or structures (also on external stairs and porches) where State administration institutions and capital companies in which more than 50 per cent of capital shares (stocks) belong to a public person, are located. Information messages or symbols regarding smoking prohibition shall be placed in such places;

5) in shelters and on platforms of public transport stops;

6) in staircases, hallways, and other common-use premises of multiapartment residential houses;

7) on terraces, balconies, and loggias of multiapartment residential houses if any of the residents of the house has justified objections against it;

8) at working places in work and common-use premises, except for the room specially designated for smoking;

9) in public buildings, structures, and public premises. Such prohibition shall not apply to apartments in public buildings;

10) in saloons, booths, and cabins of public means of transport, taxis, and such vessels which carry out carriage of passengers as a service. Long-distance trains and vessels which carry out carriage of passengers as a service may have individual wagons or cabins designated for smokers;

11) in vehicles owned or held by State or local government institutions;

12) during sports and other public events in stadiums and other demarcated territories, except for places specially designated for smoking;

13) in playgrounds for children;

14) in parks, squares, and bathing places, except for places specially designated for smoking;

15) in cafés, restaurants, and other places of public catering, except for summer (open-air) cafés in which smoking is permitted only in specially designated places;

16) in any other public place not referred to in this Section in the presence of another person, if such person is objecting against it;

17) in gambling premises;

18) in buildings of the *Saeima* and the Cabinet, except for the premises specially designated for smoking.

(3) Hotels and other dwellings of temporary residence may have specially designated sleeping lodgings where smoking is permitted.

(4) [1 January 2025 / See Paragraph 22 of Transitional Provisions]

(5) A room specially designated for smoking may be arranged in public departure premises of an international traffic airport after security control points.

(6) A prohibition to smoke shall be indicated by an information message, using the sign “Smoking prohibited” (white letters on a red background), and a permission to smoke – with the same information message, using the sign “Smoking permitted” (white letters on a green background) or a relevant symbol. In addition to the information message “Smoking permitted” or the symbol used which points towards a permission to smoke, an information message “Smoking kills – quit now!” shall be placed.

(7) The procedures by which information messages or symbols regarding smoking prohibition or smoking permission shall be placed, as well as sample texts and symbols shall be determined by the Cabinet.

[*11 January 2024 /* *Paragraph two, Clause 17 and amendment regarding the deletion of Paragraph four shall come into force on 1 January 2025*. *See Paragraph 22 of Transitional Provisions*]

**Section 10.1 Restrictions on the Use of Tobacco Substitute Products and Smokeless Tobacco Products**

It is prohibited to use tobacco substitute products and smokeless tobacco products on the premises of educational institutions, official accommodation facilities of educational institutions, and instructional institutions, and also within the territories of such institutions.

[*11 January 2024*]

**Section 10.2 Restrictions on the Smoking of Tobacco Products, Herbal Products for Smoking, Electronic Smoking Devices, and their Refill Containers and the Use of Tobacco Substitute Products and Smokeless Tobacco Products, and Also the Storage and Transfer of the Respective Products to Adults under the Age of 20 Years**

(1) Adults under 20 years of age may not smoke, use tobacco substitute products or smokeless tobacco products, and also possess tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, or refill containers thereof.

(2) Adults under 20 years of age may not be involved in smoking and use of tobacco substitute products or smokeless tobacco products. The transfer of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, or refill containers thereof in the possession of an adult under 20 years of age shall also be regarded as the involvement of such person in the smoking and use of tobacco substitute products or smokeless tobacco products.

[*11 January 2024* / *Section shall come into force on 1 January 2025.* *See Paragraph 21 of Transitional Provisions*]

**Section 11. State Committee for Smoking Restriction**

The Cabinet shall approve the by-laws of the State Committee for Smoking Restriction. The composition of the State Committee for Smoking Restriction shall be approved by the Minister for Health, including in the Committee at least one representative from:

1) the Ministry of Health;

2) the Ministry of Finance;

3) the Ministry of Economics;

4) the Ministry of Education and Science;

5) the Ministry of the Interior;

6) the Ministry of Environmental Protection and Regional Development;

7) the Public Health Association of Latvia;

8) the Latvian Association of Local and Regional Governments;

9) the Latvian Medical Association;

10) an organisation of employers;

11) an organisation of employees.

[*11 January 2024*]

**Section 12. Competence of State Administration Institutions**

(1) The State Revenue Service shall control:

1) the fulfilment of the restrictions laid down in Section 3, Paragraph one, Clauses 5 and 6 of this Law;

2) the fulfilment of the requirements laid down in Section 3.1 of this Law;

3) the fulfilment of the requirements laid down in Section 6, Paragraphs nine and ten of this Law;

4) the fulfilment of the requirements laid down in Section 8, Paragraphs two and 2.1 of this Law.

(2) The Health Inspectorate shall:

1) control the fulfilment of the restrictions specified in Section 3, Paragraph three of this Law;

2) assess the conformity of tobacco products with the requirements laid down in Section 3, Paragraphs two and four of this Law;

3) control the fulfilment of the restrictions laid down in Section 3, Paragraph one, Clause 3 of this Law;

4) control the fulfilment of the restrictions laid down in Section 3, Paragraph one, Clauses 7 and 8, and also Section 3, Paragraphs five and 5.1 of this Law;

5) receive, store, process, analyse and publish information which has been submitted in accordance with the provisions of Section 5, Paragraphs one and two, and Section 5.1 of this Law;

6) approve and notify to the European Commission the list of laboratories accredited in Latvia referred to in Section 4, Paragraph three of this Law, indicating the criteria used for the approval and the supervision methods applied, as well as inform the European Commission of amendments made to the list;

7) notify the European Commission of any measuring methods used to measure other emissions of cigarettes which are not tar, nicotine, and carbon monoxide emissions, and emission from tobacco products other than cigarettes;

8) notify the European Commission of the maximum level of emissions specified for emissions of cigarettes other than the emissions specified in Section 3, Paragraph three of this Law, and emissions from tobacco products other than cigarettes;

9) take the necessary actions as defined in Section 5, Paragraphs three and four of this Law;

10) control the fulfilment of the requirements laid down in Section 6, Paragraphs five, 5.1, six, 6.1, seven, and eight, and also Section 7, Paragraphs one, two, three, four, five, and 5.1 of this Law;

11) control the fulfilment of the requirements laid down in Section 8, Paragraph eight of this Law.

(3) The State Revenue Service and the Health Inspectorate are entitled to perform the sampling of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, refill containers, and novel tobacco products, tobacco substitute products at retail outlets and tax warehouses.

(4) The Consumer Rights Protection Centre shall control the fulfilment of the restrictions specified in Section 6, Paragraphs one, two, three, four, 4.1, and thirteen of this Law and also Section 9, Paragraphs one, two, and four which, in accordance with Section 7, Paragraph one of the Advertising Law, are regarded as additional requirements in the field of advertising and the fulfilment of which is supervised in accordance with the Advertising Law.

(5) The State Police and the municipal police shall control the fulfilment of the restrictions specified in Section 3, Paragraph one, Clauses 1 and 2, Section 8, Paragraphs one, two, three, and five, Section 9, Paragraph five, Section 10, Paragraphs two, three, four, five, and six, and also Sections 10.1 and 10.2 of this Law.

(6) The State Labour Inspectorate shall control the fulfilment of the restrictions specified in Section 8, Paragraph seven and Section 10, Paragraph one of this Law.

(7) The Ministry of Education and Science and the Ministry of Health have the obligation to create prevention programmes regarding consumption of tobacco products, tobacco substitute products, herbal products for smoking, and electronic smoking devices for different groups of inhabitants, to introduce them in educational institutions, and to promote their introduction at working places.

(8) The Ministry of Health has the obligation to develop the national policy based on interdepartmental cooperation in the field of reducing the harm of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, and products related thereto and to provide a possibility of getting medical treatment from tobacco or nicotine addiction to persons who want it.

(9) The issuer of the unique identifiers specified in Implementing Regulation No 2018/574 is *valsts akciju sabiedrība “Latvijas Valsts radio un televīzijas centrs”* [State stock company Latvian Radio and Television Centre].

[*20 December 2018; 4 April 2019; 21 May 2020; 11 January 2024 /* *Amendments regarding the new wording of Paragraph two, Clauses 4, 5, and 10 of the Section, amendment to Paragraph four of the Section regarding the supplementation thereof with number “4.1”, and amendment to Paragraph five of the Section regarding the supplementation thereof with the word and number “and 10.2” shall come into force on 1 January 2025*. *See Paragraphs 21 and 24 of Transitional Provisions*]

**Section 13. Decision of the Surveillance Authority**

(1) The State Revenue Service, the Health Inspectorate, the Consumer Rights Protection Centre, the State Police, and the municipal police (hereinafter – the surveillance authority), upon establishing a violation, have the right to take the following decisions:

1) to request the manufacturer or importer to eliminate the non-conformities within a specific period of time, prohibiting placement on the market or sale of the relevant product or manufacturing batch of the product while the non-conformities are being eliminated;

2) if the product can cause substantial risk to the health of the consumer or if its manufacture and placement on the market is prohibited in accordance with this Law, to prohibit the placement of the product on the market and its selling, requesting the manufacturer or distributor to withdraw the product from the market, to destroy it in the most appropriate conditions, or to revoke the product from consumers, as well as to inform consumers regarding the existing risks. Revocation of products shall be performed only as an extreme measure.

(2) The decision of the surveillance authority shall be in effect from the moment of taking it.

(3) The decision of the surveillance authority may be appealed to a court in accordance with the procedures laid down in the Administrative Procedure Law. Appeal of the decision shall not suspend its enforcement.

**Section 14. Administrative Liability in the Field of the Handling of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices and Their Liquids**

(1) For the violation of the restrictions on smoking and use of tobacco substitute products and smokeless tobacco products, a warning or a fine of up to twenty units of fine shall be imposed.

(2) For the placement on the market of such tobacco products on the unit packet of which the unique identifiers or safety features have not been placed, a warning or a fine of up to seven hundred and ten units of fine shall be imposed on a legal person.

(3) For the failure to comply with the laws and regulations in respect of the operation of a tobacco product traceability system, a warning or a fine of up to seven hundred and ten units of fine shall be imposed on a legal person.

(4) For the failure to place a visible text at retail outlets warning that the use of tobacco products, tobacco substitute products, herbal products for smoking, and electronic smoking devices seriously damages human health, a fine from ten to seventy units of fine shall be imposed on a legal person.

(41) For the placement of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices or their refill containers, and trademarks of such products, devices, and containers at a retail outlet in such a way that buyers can see these products, devices, containers, and the respective trademarks, a warning or a fine from ten to seventy units of fine shall be imposed on a legal person.

(5) For the failure to place an information message or symbols regarding smoking prohibition or additional information message “Smoking kills – quit now!” laid down by laws and regulations, a fine from ten to forty units of fine shall be imposed on a natural person, but a fine from forty to seventy units of fine – on a legal person.

(6) For the placement on the market of nasal tobacco, chewing tobacco or tobacco products for oral use, a fine from twenty to forty-two units of fine shall be imposed on a natural person, but a fine from forty to one hundred and forty units of fine – on a legal person.

(7) For selling tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, or their refill containers in unauthorised places, a fine from twenty to forty-two units of fine shall be imposed on a natural person, but a fine from forty to one hundred and forty units of fine – on a legal person.

(8) For the sale of tobacco products, tobacco substitute products, electronic smoking devices, or their refill containers using means of distance communication, a fine from twenty to forty-two units of fine shall be imposed on a natural person, but a fine from forty to one hundred and forty units of fine – on a legal person.

(81) For the purchase of tobacco products, tobacco substitute products, electronic smoking devices, or their refill containers using means of distance communication (except for the purchase from a third country), a fine from twenty to forty-two units of fine shall be imposed on a natural person.

(9) For the sale of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices or their refill containers to the persons under 20 years of age, a fine from fifty-six to one hundred and forty units of fine shall be imposed on an employee, i.e. a salesperson, of a legal person, but a fine from one hundred and forty to one thousand four hundred and twenty units of fine – on a legal person.

(10) For designating rooms (places) for smoking not corresponding to the requirements of the Law, a fine from two hundred to five hundred units of fine shall be imposed on a legal person.

(11) For the placement on the market of such tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, refill containers thereof, or novel tobacco products, tobacco substitute products on which information has not been provided to the competent authority, a fine from twenty-eight to one hundred and forty units of fine shall be imposed on a natural person, but a fine from one hundred and forty to one thousand and four hundred units of fine – on a legal person.

(12) For the placement on the market of such tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, refill containers thereof, or novel tobacco products which do not meet the requirements of legal acts or technical parameters, a fine from ten to one hundred and forty units of fine shall be imposed on a natural person, but a fine from twenty to two thousand and eight hundred units of fine – on a legal person.

(13) For smoking or the use of tobacco substitute products or smokeless tobacco products, if committed by an adult under 20 years of age, a warning or a fine of up to three units of fine shall be imposed.

(14) For the purchase or possession of tobacco products, tobacco substitute products, herbal products for smoking, electronic smoking devices, or refill containers thereof, if committed by an adult under 20 years of age, a warning or a fine of up to three units of fine shall be imposed.

(15) For the involvement of an adult under 20 years of age in smoking, the use of tobacco substitute products or smokeless tobacco products, a fine from seven to one hundred and forty units of fine shall be imposed.

[*21 May 2020; 11 January 2024 /* *Amendment to Paragraph nine regarding the replacement of the number “18” with the number “20”, amendments to Paragraph eleven regarding the administrative liability imposed for the failure to notify the competent authority of the placement on the market of tobacco substitute products and to Paragraph twelve regarding the administrative liability imposed for the placement on the market of tobacco substitute products that do not correspond to the requirements of legal acts and technical parameters, Paragraphs thirteen, fourteen, and fifteen shall come into force on 1 January 2025.* *See Paragraphs 21 and 24 of Transitional Provisions*]

**Section 15. Competence in Administrative Offence Proceedings**

(1) Administrative offence proceedings for the offences referred to in Section 14, Paragraphs one, 4.1, five, six, seven, eight, 8.1, nine, ten, thirteen, fourteen, and fifteen of this Law shall be conducted by the State Police or municipal police.

(2) Administrative offence proceedings for the offences referred to in Section 14, Paragraphs four, eleven, and twelve of this Law shall be conducted by the Health Inspectorate.

(3) Administrative offence proceedings for the offences referred to in Section 14, Paragraphs two, three, eight, 8.1, and twelve of this Law shall be conducted by the State Revenue Service.

[*21 May 2020; 11 January 2024 /* *Amendment to Paragraph one regarding the replacement of the word “and ten” with the words “ten, thirteen, fourteen, and fifteen” and amendment regarding the new wording of Paragraph two in respect of the competence of the Health Inspectorate to conduct administrative offence proceedings for the offences in relation to tobacco substitute products shall come into force on 1 January 2025*. *See Paragraphs 21 and 24 of Transitional Provisions*]

**Transitional Provisions**

1. With the coming into force of this Law, the law On Restricting the Selling, Advertising and Use of Tobacco Products (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1997, No. 3; 1999, No. 22; 2003, No. 2, 23; 2004, No. 4, 18; 2005, No. 7, 14; 2007, No. 21; 2008, No. 10; 2009, No. 1, 14; *Latvijas Vēstnesis*, 2010, No. 34, 47, 205; 2014, No. 228) is repealed.

2. Until 20 May 2017, it shall be permitted to place on the market such tobacco products and herbal products for smoking which have been manufactured or released into free circulation and labelled in accordance with the law On Restrictions Regarding Sale, Advertising and Use of Tobacco Products until 19 May 2016.

3. Until 20 May 2017, it shall be permitted to place on the market such electronic cigarettes and refill containers which do not conform to the requirements of this Law, if the relevant electronic cigarettes and refill containers were manufactured or released into free circulation until 20 November 2016.

4. The provisions of Section 3, Paragraphs two and four of this Law in relation to tobacco products which have a characteristic flavour and the sales amount of which in the European Union and the European Economic Area in the relevant product category is three per cent or more, shall be applicable from 20 May 2020.

5. Section 6, Paragraph ten of this Law in relation to cigarettes and roll-your-own tobacco shall be applicable from 20 May 2019, but in relation to other tobacco products – from 20 May 2024.

5.1 Until 20 May 2020, also unit packets of such cigarettes and roll-your-own tobacco on which no safety features other than excise duty stamps have been placed may be placed on the market, provided that the respective cigarettes (cigarette unit packets) and roll-your-own tobacco (roll-your-own tobacco units) have been manufactured or released for free circulation in the European Union until 19 May 2019.

[*20 December 2018*]

5.2 Until 20 May 2026, also unit packets of such tobacco products on which no safety features other than excise duty stamps have been placed may be placed on the market, provided that the respective tobacco products (unit packets thereof) which are not cigarettes and roll-your-own tobacco products have been manufactured or released for free circulation in the European Union until 19 May 2024.

[*20 December 2018*]

6. The Cabinet shall issue the regulations provided for in Section 6, Paragraph eleven of this Law by 1 March 2019.

[*20 December 2018*]

7. Economic operators who have commenced the sale of electronic cigarettes and refill containers until 19 May 2016 shall notify the Health Inspectorate thereof until 20 November 2016 in accordance with the procedures laid down in Section 8, Paragraph nine of this Law.

8. The requirement of Section 10, Paragraph five of this Law for the placement of an information message “Smoking kills – quit now!” shall be introduced not later than until 20 May 2017.

9. The Cabinet shall issue the regulations provided for in Sections 10 and 11 of this Law until 1 March 2017. Until coming into force of the relevant Cabinet regulations, but not later than until 28 February 2017, the following Cabinet regulations shall be applicable insofar as they are not in contradiction with this Law:

1) Cabinet Regulation No. 976 of 20 December 2005, Regulations Regarding the Procedures for Placement of Informative Notices or Symbols Regarding Prohibition to Smoke and Permission to Smoke, as well as Regarding the Samples of Notices and Symbols;

2) Cabinet Regulation No. 637 of 27 August 2013, By-laws of the State Committee for Smoking Restriction.

10. The Cabinet shall issue the regulations provided for in Section 6, Paragraph twelve of this Law by 19 May 2019.

[*20 December 2018*]

11. Until 1 January 2020 it shall also be permitted to place on the market such electronic devices and electronic device containers which do not conform to the requirements of this Law if the respective electronic devices and electronic device containers have been manufactured or released for free circulation until 31 December 2018.

[*4 April 2019*]

12. The Cabinet shall issue the regulations referred to in Section 3, Paragraph five, Clause 7 of this Law until 1 September 2020. Until the day of coming into force of this Regulation, but not longer than until 31 August 2020, Cabinet Regulation No. 372 of 14 June 2016, Technical Standards for the Refill Mechanism of Electronic Cigarettes, shall be in force, insofar as it is not in contradiction with this Law.

[*4 April 2019*]

13. Section 9, Paragraphs five and six of this Law shall come into force on 1 October 2020.

[*4 April 2019*]

14. Section 12, Paragraph two, Clause 11 and Sections 14 and 15 of this Law shall come into force concurrently with the Law on Administrative Liability. Section 14, Paragraph three of this Law in relation to other tobacco products (except for cigarettes and roll-your-own tobacco) shall be applicable from 20 May 2024.

[*21 May 2020*]

15. Amendment to Section 1, Clause 2 of this Law regarding the definition of heated herbal products for smoking shall come into force on 1 August 2024.

[*11 January 2024*]

16. Amendment to Section 3, Paragraph two of this Law regarding the new wording of Clause 4 shall come into force on 1 August 2024.

[*11 January 2024*]

17. Section 6, Paragraph 6.1 of this Law and amendment regarding the supplementation of Paragraph five of Section 9 laying down additional requirements for information to be included in the information sheet shall come into force on 1 August 2024.

[*11 January 2024*]

18. The prohibition specified in Section 9, Paragraph five of this Law to place electronic smoking devices at retail outlets shall be applicable to electronic heating devices from 1 August 2024.

[*11 January 2024*]

19. Amendment regarding the new wording of Section 3, Paragraph six of this Law, Section 5.1, and also amendment to Paragraph six of Section 7 regarding the authorisation of the Cabinet to lay down the requirements for the presentation and placement of warnings on the packaging units of tobacco substitute products or on any outside packaging shall come into force on 1 August 2024.

[*11 January 2024*]

20. Economic operators engaged in the selling of tobacco substitute products shall notify the Health Inspectorate thereof by 1 September 2024.

[*11 January 2024*]

21. Amendment to Section 8, Paragraphs three and four of this Law, Section 10.2, amendment to Paragraph five of Section 12 regarding the supplementation thereof with the word and number “and 10.2”, amendment to Paragraph nine of Section 14 regarding the replacement of the number “18” with the number “20”, Paragraphs thirteen, fourteen, and fifteen of this Section, and amendment to Paragraph one of Section 15 regarding the replacement of the words “and ten” with the words “ten, thirteen, fourteen, and fifteen” shall come into force on 1 January 2025.

[*11 January 2024*]

22. Section 10, Paragraph two, Clause 17 of this Law and amendment regarding the deletion of Paragraph four of this Section shall come into force on 1 January 2025.

[*11 January 2024*]

23. Section 3, Paragraph one, Clause 8 of this Law and Annex to the Law shall come into force on 1 January 2025.

[*11 January 2024*]

24. Section 3, Paragraph one, Clause 7 and Paragraph 5.1, Section 6, Paragraph 5.1, Section 7, Paragraph 5.1 of this Law, amendments regarding the new wording of Paragraph two, Clauses 4, 5, and 10 of Section 12, and also amendment to Paragraph four of this Section regarding the supplementation thereof with the number “4.1”, amendments to Paragraph eleven of Section 14 regarding the administrative liability imposed for the failure to notify the competent authority of the placement on the market of tobacco substitute products and to Paragraph twelve regarding the administrative liability imposed for the placement on the market of tobacco substitute products that do not conform to the requirements of laws and regulations and technical parameters, and also amendment regarding the new wording of Paragraph two of Section 15 in respect of the competence of the Health Inspectorate to conduct administrative offence proceedings for the offences in relation to tobacco substitute products shall come into force on 1 January 2025.

[*11 January 2024*]

**Informative Reference to European Union Directives**

[*18 May 2023*]

This Law contains legal norms arising from:

1) Directive 2003/33/EC of the European Parliament and of the Council of 26 May 2003 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products;

2) Directive 2014/40/EC of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC;

3) Commission Delegated Directive (EU) 2022/2100 of 29 June 2022 amending Directive 2014/40/EU of the European Parliament and of the Council as regards the withdrawal of certain exemptions in respect of heated tobacco products.

The Law shall come into force on 20 May 2016.

The Law has been adopted by the *Saeima* on 21 April 2016.

President R. Vējonis

Rīga, 12 May 2016

Law on the Handling of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices and Their Liquids

**Annex**

[*11 January 2024 /* *Annex shall come into force on 1 January 2025.* *See Paragraph 23 of Transitional Provisions*]

**List of the Flavourings That Impart Tobacco Smell or Taste and are Allowed to be Added to Liquids of Electronic Smoking Devices and Tobacco Substitute Products**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Common name of the substance | Chemical name of the substance | Number of the chemical substance in the Chemical Abstracts Service Registry (CAS No.) | Official numerical identifier of substances in the European Union used by the European Chemicals Agency (EC No.) |
| 1) | Beta-damascone | 2-buten-1-one, 1-(2,6,6-trimethyl-1-cyclohexen-1-yl)- | 35044-68-9 | 245-843-7 |
| 2) | E-beta-damascone / trans-beta-damascone | (E)-1-(2,6,6-trimethyl-1-cyclohexenyl)-2-buten-1-one; (2E)-1-(2,6,6-trimethyl-1-cyclohexen-1-yl)-2-buten-1-one | 23726-91-2 | 245-842-1 |
| 3) | Z-beta-damascone / cis-beta-damascone | (Z)-1-(2,6,6-trimethyl-1-cyclohexen-1-yl)-2-buten-1-one | 23726-92-3 | 245-843-7 |
| 4) | Beta-damascenone / damascenone | 1-(2,6,6-trimethyl-1,3-cyclohexadien-1-yl)-2-buten-1-one | 23696-85-7 | 245-833-2 |
| 5) | E-beta-damascenone | (E)-1-(2,6,6-trimethyl-1,3-cyclohexadien-1-yl)-2-buten-1-one | 23726-93-4 | 245-844-2 |
| 6) | Keto-isophrone | 2,6,6-trimethyl-2-cyclohexen-1,4-dione | 1125-21-9 | 214-406-2 |
| 7) | 2-hydroxy-3,5,5-trimethyl-2-cyclohexenone | 2-hydroxy-3,5,5-trimethylcyclohex-2-en-1-one | 4883-60-7 | 610-435-3 |
| 8) | 3-ethylpyridine | 3-ethylpyridine | 536-78-7 | 208-647-2 |
| 9) | 3-acethylpyridine | 3-acethylpyridine | 350-03-8 | 206-496-7 |
| 10) | 2,6-dimethoxyphenol | 1,3-dimethoxy-2-hydroxybenzene | 91-10-1 | 202-041-1 |
| 11) | 5-hydroxymethylfurfural | 5-(hydroxymethyl)-2-furaldehyde | 67-47-0 | 200-654-9 |
| 12) | alpha-angelica lactone / 5-methylfuranone | 5-methyl-2,3-dihydrofuran-2-one | 591-12-8 | 209-701-8 |
| 13) | Isovaleric acid / isopropylacetic acid | 3-methylbutanoic acid | 503-74-2 | 207-975-3 |
| 14) | Caryophyllene oxide | 4,12,12-trimethyl-9-methylene-5-oxatricyclo[8.2.0.0~4,6~] dodecane | 1139-30-6 | 214-519-7 |
| 15) | Ambroxide | 3a,6,6,9a-tetramethyldodecahydronaphtho[2,1-b]furan | 3738-00-9 | 223-118-6 |
| 16) | Sclareolide | (3aR,5aS,9aS,9bR)-3a,6,6,9a-tetramethyldodecahydronaphtho[2,1-b]furan-2-one | 564-20-5 | 209-269-0 |