

LAW OF TURKMENISTAN "On Protecting the Health of Citizens from the Effects of Tobacco Smoke and the Consequences of Tobacco Product Consumption"

Yesterday at 20:01 - [Administrator](#)

This Law defines the principles of state policy in the field of public health protection from exposure to tobacco smoke and the consequences of tobacco product consumption, regulates relations arising in the import, sale and consumption of tobacco products in Turkmenistan.

Chapter 1. General Provisions

Article 1. Main Concepts Used in this Law

In this Law the following basic concepts are used:

- 1) tobacco - genus of annual and perennial grasses and shrubs containing nicotine and other substances harmful to human health, cultivated to obtain raw material (tobacco raw material) for the manufacture of tobacco products;
- 2) tobacco products - these are products entirely or partly made from the fermentation of tobacco (leaf) and/or of makhorka, with or without added sauces and/or flavorings, intended for smoking (smoking tobacco products), sucking, chewing, snuffing (smokeless tobacco products), and/or other ways of consuming tobacco products;
- 3) tobacco smoke - the smoke contained in the air at the place where tobacco products are being or were smoked;
- 4) the consequences of tobacco product consumption are the injury (harm) caused to the life or health of a person, to his habitat due to tobacco product consumption and the impact of the tobacco smoke, as well as the medical, demographic, social and economic consequences associated with it;
- 5) tobacco organizations (industry) - legal entities and individual entrepreneurs engaged in the manufacture, wholesale distribution and import of tobacco products;
- 6) turnover - wholesale and retail trade of tobacco raw materials and/or tobacco products, as well as their storage, import and export;
- 7) excise stamp - stamp, possessing elements of protection to be applied to each unit of tobacco product, in accordance with the law of Turkmenistan, confirming that labeled tobacco products are legal in origin;
- 8) tobacco control - measures taken to reduce trafficking of tobacco products, their advertising and promotion, eliminating or reducing their consumption, combating the illicit trade in tobacco products, as well as other measures aimed at protecting the health of citizens;
- 9) advertising of tobacco products - information, distributed in any form and by any means, intended for unspecified persons, in order to create and sustain interest in tobacco products, including information in which with no mention of specific tobacco products their trademarks and their elements are used;
- 10) promotion of tobacco and tobacco products - a set of measures and actions taken by manufacturers and/or sellers and intermediaries in order to increase demand, sales, market expansion of tobacco and tobacco products;

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11) tobacco product sponsorship is any type of contribution to any event, activity or individual, the purpose, result or probably result of which is the promotion of the sale of tobacco products or the consumption of tobacco directly or indirectly;

12) the illicit trade in tobacco products - a type of activity, prohibited by law, relating to the production, shipment, receipt, distribution, sale or purchase of tobacco products, including intended to facilitate such activity;

13) ingredient - a substance (except for tobacco leaf and other parts of tobacco), used in the manufacture of tobacco products, and present in a finished tobacco product, including in a modified form;

14) consumer packaging - the smallest unit packaging of tobacco products in which they are purchased by the consumer:

a) a pack - a unit of consumer packaging made of cardboard, paper or other material that contains a certain amount of tobacco products;

b) block - grouped consumer packaging with a certain number of packs of cigarettes wrapped in polymer film, paper or paper tape;

c) box - grouped consumer packaging with a certain number of packs of cigarettes packed in a box made of cardboard that can be wrapped in plastic film.

Article 2. Law of Turkmenistan on Protecting the Health of Citizens from the Effects of Tobacco Smoke and the Consequences of Tobacco Product Consumption

1. Turkmenistan's law on the protection of the health of citizens from exposure to tobacco smoke and the effects of tobacco consumption is based on the Constitution of Turkmenistan and consists of this Law and other legal acts of Turkmenistan, regulating relations in the importation, sale and consumption of tobacco products in Turkmenistan.

2. If rules other than those contained in this Law are established by an international treaty of Turkmenistan, the rules of the international treaty are applicable.

Article 3. Purpose of this Law

The purpose of this Law is to protect present and future generations of Turkmenistan from exposure to tobacco smoke and the consequences of tobacco product use for their life and health, including social, economic and environmental impacts, through the implementation of measures to prevent disease and limit the consumption of tobacco products, disseminating information on the harmful effects of tobacco product consumption, morbidity and mortality.

Article 4. Principles of State Policy in the Protection of the Health of Citizens from the Effects of Tobacco Smoke and the Consequences of Tobacco Product Consumption

The principles of state policy in the protection of the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption are:

1) guarantee of the rights of citizens to the protection of health from the effects of tobacco smoke and the consequences of tobacco product consumption;

2) prevention of diseases associated with exposure to tobacco smoke and tobacco consumption;

3) informing the public about the dangers of tobacco product consumption and the harmful impact of tobacco smoke on life and health, as well as on activities carried out for tobacco control;

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4) implementation of measures directed at preventing exposure to tobacco smoke and reducing tobacco product consumption;

5) achieving the international cooperation of Turkmenistan in protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

6) control of guarantee of the rights of citizens to the protection of health from the effects of tobacco smoke and the consequences of tobacco product consumption.

Article 5. Types of Tobacco Products

1. Type of tobacco product - a set of smoking and smokeless tobacco products, similar in consumer properties and method of consumption.

2. Tobacco products include:

1) cigarettes - consisting of a section of a tobacco roll wrapped in cigarette paper, glued together along the longitudinal seam, with or without a filter tip;

2) cigars - consisting of three layers: filling (mixture of cigar and tobacco raw material), binder (section of cigar leaf) and casing (cigar leaf cover), spirally covering the filling and binder;

3) little cigar - a little cigar without binder;

4) cigarillo (sigaritta) - a form of smoking product made of cigar and other tobacco raw materials and having a multi-layered structure: filling of torn, shredded cigar and other types of tobacco raw materials, with or without binder and wrapped in cigar leaves, reconstituted tobacco or special paper. Cigarillos can have a filter tip;

5) papirosy - tobacco products, consisting of a papirosy sleeve, part of which is filled with shredded tobacco;

6) beedi - a form of smoking tobacco product consisting of a mixture of crushed tobacco leaves, tobacco fibers and stems wrapped in dried tendu leaf and tied with a thread;

7) kretek - a form of smoking tobacco product consisting of a mixture with sauce and flavoring of powdered clove and cut raw material for the production of tobacco products wrapped in cigarette paper or a dried sheet of corn cob, with or without a filter;

8) hookah tobacco - which is a mixture of shredded or torn raw tobacco materials, with or without the addition of non-tobacco raw materials and other ingredients, intended for smoking using a hookah;

9) pipe tobacco - a form of smoking tobacco product intended for smoking using a pipe and consisting of shredded, torn, twisted or compressed tobacco, with or without the addition of non-tobacco raw materials, sauces and flavors, in which more than 75 percent of the net weight of the product is comprised of fibers of a width exceeding 1 millimeter;

10) chewing tobacco - a form of smokeless tobacco product, made from compressed scraps of tobacco leaves, with or without the addition of non-tobacco raw materials and other ingredients, intended for chewing;

11) snuffing tobacco - a form of smokeless tobacco product, made from dust from the pneumatic drying of cut tobacco, with or without the addition of non-tobacco raw materials and other ingredients, intended for snuffing;

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12) sucking tobacco (snus) - a form of smokeless tobacco product, made completely or partially from purified dust and/or a fine fraction of cut tobacco, with or without the addition of non-tobacco raw materials or other ingredients, intended for sucking;

13) other tobacco products.

3. Types of smoking products not containing tobacco:

1) smoking mixtures - a mixture of non-tobacco raw materials, consisting of dried herbal preparations with various synthetic additives (or without them), with or without extracts from plants with weak psychotropic effect (entheogens) in combination with essential oils of natural origin;

2) electronic cigarette - an electronic device to simulate smoking by generating steam, which may contain nicotine, having the form of the cigarette and when inhaled gives the taste sensation of real tobacco smoke.

Article 6. Kinds of Harmful Substances Contained in Tobacco Products

Harmful substances contained in tobacco products include:

1) nicotine - an alkaloid contained in tobacco leaves and tobacco smoke;

2) tar - dehydrated condensate of tobacco smoke, containing no nicotine;

3) carbon monoxide - a product of incomplete combustion of carbon-containing substances formed during smoking of tobacco products;

4) other substances harmful to human health.

Chapter 2. Public Administration for Protecting the Health of Citizens from the Effects of Tobacco Smoke and the Consequences of Tobacco Product Consumption

Article 7. Agencies Engaged in Public Administration for Protecting the Health of Citizens from the Effects of Tobacco Smoke and the Consequences of Tobacco Product Consumption

The agencies engaged in public administration for protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption, are the Cabinet of Ministers of Turkmenistan, the authorized state agency for the protection of the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption (hereinafter - authorized agency), and within their competence other agencies of state power and administration, local self-government agencies.

Article 8. Competence of the Cabinet of Ministers of Turkmenistan

The Cabinet of Ministers of Turkmenistan:

1) determines the sole state policy for protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

2) publishes legislative acts of Turkmenistan for protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

3) determines the authorized agency;

4) approves the international cooperation program for protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

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5) regulates issues of the import and sale of tobacco products on the territory of Turkmenistan in the manner prescribed by the law of Turkmenistan;

6) performs other functions assigned to its competence by the legislation of Turkmenistan.

Article 9. Competence of the Authorized Agency

The authorized agency:

1) determines the sole state policy for protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

2) ensures the protection of the rights of the individual and citizen in protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

3) operates in the field of prevention and control of tobacco product consumption, in accordance with the legislation of Turkmenistan;

4) interacts with state government and administrative, local self-government agencies and public associations to implement the sole state policy in protecting citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

5) develops, approves (accepts), registers, cancels the legislative acts for protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption, and amends them;

6) develops and implements measures for protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

7) ensures the provision of medical care in medical institutions for citizens in need of treatment for tobacco dependence and the consequences of tobacco product consumption;

8) monitors and assesses the effectiveness of the implementation of measures aimed at preventing exposure to tobacco smoke and reducing tobacco product consumption, as well as provides information on the results of monitoring;

9) provides training and retraining of staff for protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

10) represents Turkmenistan in international organizations engaging in activities to protect the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

11) performs other functions assigned to its competence by the legislation of Turkmenistan.

Article 10. Competence of Other State Government and Administrative Agencies, Local Self-Government Agencies

Other agencies of state power and administration, local self-government agencies:

1) participate in implementation of the sole state policy for protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

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- 2) protect the rights of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;
- 3) interact with the authorized agency engaging in activities to protect the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;
- 4) develop, approve (accept), register, cancel the legislative acts for protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption, and amends them;
- 5) perform other functions in the field of public health protection from exposure to tobacco smoke and the consequences of tobacco use, assigned to them by the legislation of Turkmenistan.

Article 11. State Regulation of Circulation, Advertising and Limiting the Consumption of Tobacco Products by Other State Government and Administrative Agencies

State regulation of circulation, advertising and limiting the consumption of tobacco products is also carried out by:

- 1) The State Customs Service of Turkmenistan - for control over compliance with the requirements of the legislation of Turkmenistan on the import of tobacco products through the customs border of Turkmenistan;
- 2) The Ministry of Trade and Foreign Economic Relations of Turkmenistan - in terms of monitoring the implementation of the requirements of this Law on licensing activities in the field of import and sale of tobacco products, compliance with the rules of trade in tobacco products;
- 3) The Main State Service "Turkmenstandartlary" - in terms of work on the certification of tobacco products for compliance with the requirements of regulatory documents;
- 4) The State Service of Turkmenistan for Protecting the Safety of a Healthy Society - in terms of control over ensuring the rights of citizens to be protected from exposure to tobacco smoke in places where smoking tobacco products is prohibited by this Law, tobacco product advertising, compliance with the legislation of Turkmenistan in the wholesale and retail trade in tobacco products ;
- 5) other federal state and administrative agencies within their competence.

Article 12. State Regulation of Prices for Tobacco Products

1. Measures of state regulation of prices for tobacco products are carried out by establishing minimum retail prices for them.
2. The minimum retail price of tobacco products is established by the state agency authorized by the Cabinet of Ministers of Turkmenistan.

Article 13. State Regulation of Retail Trade in Tobacco Products

1. On the territory of Turkmenistan, retail trade in tobacco products is carried out in accordance with the legislation of Turkmenistan.
2. Retail trade in tobacco products on the territory of Turkmenistan is carried out with:
 - 1) a license for the sale of tobacco products;
 - 2) a certificate of conformity or its copy, duly issued;

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3) the labels required by the legislation of Turkmenistan to confirm compliance of these products with the established requirements;

4) excise stamps;

5) a document confirming the origin of the tobacco products;

6) electronic cash registers or special computer systems, unless otherwise provided by the legislation of Turkmenistan;

7) notices in their places of sale about the prohibition of selling tobacco products to minors.

3. Information on the tobacco products offered for retail sale shall be provided by the seller to the buyers by placing a list of tobacco products sold in the places where they are sold, the text of which is printed in letters of the same size in black font against a white background and which is composed in alphabetical order, with indication of the price of tobacco products sold without using any graphics and images.

Demonstration of tobacco products to the buyer in their places of sale can be done at his request after consulting with the list of them.

4. The retail trade in tobacco products is prohibited:

1) through a mobile distribution network (with cars, trailers, trucks and other), peddling, from any makeshift stalls and counters (on the streets, roads, in courtyards, indoors);

2) through a small retail trade network (in the absence in the town of shops and pavilions, the sale of tobacco products in other areas or their retail delivery is permitted);

3) with their display and demonstration in places where they are sold, except as provided by part three of this article;

4) on the territory and in the premises of educational and medical institutions (including resort areas), cultural organizations, sports halls and gyms, stadiums, diet kitchens, children's cafes and grocery stores;

5) on the territories and in the premises (except for duty-free shops) of railway stations, bus stations, airports, sea and river ports, in premises designed to provide hotel services, services to provide temporary housing, domestic services;

6) at a distance of less than one hundred meters from the boundaries of educational institutions;

7) in specialized shopping sites, as well as departments (sections) of general shopping centers trading in goods for children and sporting goods;

8) in self-service departments;

9) private sales, as well as in areas not designated for trading;

10) using vending machines, other electronic or mechanical devices;

11) without the appropriate documents confirming the quality of tobacco products, with non-compliance of the labeling of the tobacco products to the requirements of regulatory documents;

12) via the Internet, or using telecommunications or any other technology;

13) in a set with any other goods or services;

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- 14) in the form of electronic cigarettes;
 - 15) without information printed on the pack on the levels of nicotine, tar, carbon monoxide higher than the maximum allowable norms;
 - 16) with special labeling of a duty free shop;
 - 17) from open consumer packages by weight, piece, except for the trade in individually wrapped cigars and cigarillos;
 - 18) the sale of pipe and hookah tobacco without the consumer packaging, without excise stamps or accounting and control documents;
 - 19) without excise stamps;
 - 20) non-filter cigarettes;
 - 21) without a warning printed on the pack about the harm from consuming tobacco products;
 - 22) sucking and chewing tobacco and any kind of smoking mixtures.
5. Sale of tobacco products by minors as well as to minors is prohibited.
6. At points of sale of tobacco products, in a conspicuous place at the cash register or next to it there should be a sign that reads as follows: "The sale of tobacco products to minors is prohibited."
7. With the sale of tobacco products to persons whose age, judging by their appearance, is less than eighteen years old, the persons selling the tobacco products are obliged to:
- 1) require a passport (or substitute document) in order to determine the actual age of the buyer;
 - 2) refuse to sell tobacco products if the passport (or substitute document) was not presented.
8. Tobacco products sold in a duty-free shop are subject to special labeling for the stocks of a duty free shop.

The form, type of labeling, as well as how it is applied to the tobacco products should be coordinated with the relevant government agency authorized by the Cabinet of Ministers of Turkmenistan.

Employees of a duty free shop shall note the purchase of goods in the travel documents of their clients.

The wholesale, including small-scale, sale of tobacco products in a duty-free shop is not allowed.

9. Tobacco products, the origin of which is not established, illegally imported into the territory of Turkmenistan, which do not comply with the legislation of Turkmenistan for labeling, containing harmful substances, sold without the relevant documents, excise stamps, are subject to seizure and destruction in accordance with the legislation of Turkmenistan.

Article 14. State Regulation of the Import and Wholesale Trade in Tobacco Products

1. The import of tobacco products shall be carried out by legal entities and individual entrepreneurs who have the proper license, issued in accordance with the procedure prescribed by the legislation of Turkmenistan, except for part four of this article.

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2. The import, wholesale and retail sale of cigarettes that do not comply with requirements of regulatory documents on the content in the smoke of one cigarette of nicotine, tar, carbon monoxide and other harmful substances is prohibited.

3. Tobacco products shall be imported into the territory of Turkmenistan only if the an excise stamp is affixed by the manufacturer of tobacco products directly to the pack, except for part four of this article.

4. Tobacco products, intended for personal use, may be imported into the territory of Turkmenistan without a license and excise stamp within the norms established by the legislation of Turkmenistan.

5. With the wholesale trade in tobacco products calculations are carried out on a cashless basis on the basis of bilateral agreements only through the accounts of the contracting parties, with the exception of cash settlements with shops-warehouses.

Article 15. Taxation of Tobacco Products

Taxation of tobacco products is carried out in accordance with the tax legislation of Turkmenistan.

Chapter 3. Requirements for Tobacco Products

Article 16. General Requirements for Tobacco Products

1. Tobacco products imported into the territory of Turkmenistan shall comply with the regulatory documents of Turkmenistan.

2. The use of substances that are prohibited for sale in Turkmenistan, in accordance with the legislation of Turkmenistan and the international treaty of Turkmenistan, as ingredients for tobacco products is not allowed.

3. Each unit of the consumer packaging of tobacco products is subject to mandatory labeling with an excise stamp.

Article 17. Excise Stamp

1. Requirements for samples of excise stamps for labeling of tobacco products are established by the Cabinet of Ministers of Turkmenistan.

2. An excise stamp for tobacco products is a form of strict accountability. Its price is determined by the state agency authorized by the Cabinet of Ministers of Turkmenistan.

3. The manufacture of excise stamps, their acquisition by the importer of tobacco products, labeling tobacco products with them, the accounting and destruction of damaged excise stamps, as well as their identification shall be performed in the order established by the Cabinet of Ministers of Turkmenistan.

Article 18. Requirements for the Content of Harmful Substances in Cigarette Smoke

1. The content of harmful substances in the smoke of one filter cigarette may not exceed the standards established by the legislation of Turkmenistan.

2. Issues related to the phased reduction in the content of harmful substances in the smoke of one cigarette, are regulated by the authorized agency.

3. Information about the content of harmful substances in the smoke of one cigarette is applied to consumer packaging, in accordance with the requirements of regulatory documents.

Chapter 4. Rights and Obligations of Individuals and Legal Entities in the Protection of Health from the Effects of Tobacco Smoke and the Consequences of Tobacco Product Consumption

Article 19. Rights and Obligations of Citizens in the Protection of Health from the Effects of Tobacco Smoke and the Consequences of Tobacco Product Consumption

1. Citizens in the field of protecting health from the effects of tobacco smoke and the consequences of tobacco product consumption have the right to:

- 1) a healthy living environment and protection of health from the effects of tobacco smoke and the consequences of tobacco product consumption;
- 2) receive, in accordance with the law of Turkmenistan on information about tobacco products and damage (harm) caused as a result of their consumption, measures conducted to prevent exposure to tobacco smoke and reduce consumption of tobacco products;
- 3) to obtain, if needed, medical care in medical institutions for treatment of tobacco dependence and the consequences of tobacco product consumption;
- 4) public control of the implementation of measures directed at the prevention of the effect of tobacco smoke and the reduction of tobacco product consumption;
- 5) make proposals to state government and administrative agencies, local self-government agencies on ensuring the protection of the health of citizens from the effect of tobacco smoke and consequences of tobacco product consumption;
- 6) compensation of damage (harm) caused to their life or health as a result of violations by individuals and (or) legal entities of Turkmenistan's legislation in the field of protecting the health of citizens from the effect of tobacco smoke and the consequences of tobacco product consumption.

2. Citizens in the field of protecting health from the effects of tobacco smoke and the consequences of tobacco product consumption are obligated to:

- 1) comply with the legislation of Turkmenistan on protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;
- 2) take care of their health;
- 3) take care of the health of their children and instill in them a negative attitude to tobacco product consumption as well as not allow them to get involved in the process of tobacco product consumption;
- 4) not take actions that lead to the violation of the rights of other citizens to a healthy living environment and protection of their health from the effects of tobacco smoke and the consequences of tobacco product consumption.

Article 20. Rights and Obligations of Legal Entities and Individual Entrepreneurs in the Protection of the Health of Citizens from the Effects of Tobacco Smoke and the Consequences of Tobacco Product Consumption

1. Legal entities and individual entrepreneurs in the field of protecting health from the effects of tobacco smoke and the consequences of tobacco product consumption have the right to:

- 1) receive, in accordance with the legislation of Turkmenistan, information about tobacco products and damage (harm) caused as a result of their consumption, measures conducted to prevent exposure to tobacco smoke and reduce consumption of tobacco products;

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2) participation in the development and implementation of measures to protect the health of citizens from exposure to tobacco smoke and the consequences of tobacco product consumption, except for persons engaged in the production of tobacco products;

3) to apply stimulus (incentive) measures aimed at cessation of tobacco product use by employees.

2. Legal entities and individual entrepreneurs in the field of protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption are obligated to:

1) comply with the legislation of Turkmenistan on protecting the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption;

2) ensure the rights of employees to a healthy living environment and protection of health from the effects of tobacco smoke and the consequences of tobacco product consumption;

3) exercise control of compliance with the legislation of Turkmenistan in the field of the protection of the health of citizens from the effects of tobacco smoke and the consequences of tobacco product consumption on the territories and in the premises used to carry out its activities;

4) provide citizens with information on measures conducted for the prevention of the effects of tobacco smoke and the reduction of tobacco product consumption;

Chapter 5. Requirements for Information about Tobacco Products

Article 21. Rules for the Application of Information for Consumers of Tobacco Products

1. Information for consumers of tobacco products, specified by the legislation of Turkmenistan, must be applied:

1) to the consumer packaging (packet, block, box);

2) to the package insert (except cigarettes, papirosy, beedi, kretek) of consumer packaging, to which it is impossible to apply the information for consumers of tobacco products, as well as with the sale of cigars and cigarillos (sigaritti) by piece.

2. Information should be presented in the official language.

Latin letters may be used for the name of the manufacturer, licensee and names of the tobacco products. Information relating to a registered trademark or production prototype shall be applied in the language or registration.

3. The means and methods of applying information must ensure its safety during transportation, storage and sale of tobacco products.

4. Information should be positioned so as not to violate the integrity of the labels when opening consumer packaging.

5. On the consumer packaging of cigarettes and any outside packaging used in the retail trade of smoking tobacco products, one of the warnings about the danger of smoking, the text of which is approved by the authorized agency, shall be applied.

6. The text of warning labels about the danger of smoking on the consumer packaging must be accompanied by drawings (pictograms) approved by an authorized agency, photos of the devastating consequences of tobacco product consumption and inhaling tobacco smoke for the human body. Drawings (pictograms) and photos must be placed on the top of the largest side of the pack of cigarettes on both sides of the consumer package and must occupy at least 65 percent of the total area.

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7. The texts of the labels must meet the following requirements:

- 1) the text shall be placed above the drawing (pictogram) or photo with printed letters in bold, clear, legible font. Line spacing should not exceed the height of the font:
- 2) the direction of the text is parallel to the bottom edge of the pack or other tobacco product consumer packaging. The text is placed so as to preserve as much as possible the frightening image in the drawing (pictogram) or photo;
- 3) the size of the font, confirming the result of the effect of cigarette use and tobacco smoke, must be two times larger than the remainder of the text of the warning;
- 4) the color of the label must be in contrast to the main background of the photo.

8. The warning labels of the drawing (pictogram) or photo on the consumer packaging may be changed by decision of the authorized agency once every three years.

9. On each unit of consumer packaging of smokeless tobacco products one warning label is applied on the harm from consumption of tobacco products; "This tobacco product will harm your health."

10. There is one warning label on the package insert on the harm of consuming tobacco products for:

- 1) smoking tobacco products - "Smoking will harm your health";
- 2) for smokeless tobacco products - "This tobacco product will harm your health";

The area of the package insert must be at least the same size as the largest visible surface of the consumer packaging of this tobacco product.

11. The information, stipulated by parts eight and nine of this article, shall be placed within a black border. The area encompassed by the border, including the area of the border itself, should occupy at least 30 percent of the area of one of the larger sides (front surface) of the unit of consumer packaging or package insert. This information shall be printed in black letters against a white background in bold, clear, legible font of the largest size possible. Line spacing should not exceed the height of the font: The information must be distributed equally across the entire area encompassed by the border.

12. If changes are made to the text, quantity or format of the warning labels, drawings (pictograms) or photos on the harm from smoking tobacco products, the manufacturer and/or importer within one year shall make the corresponding changes to the consumer packaging of the tobacco products.

13. After entry into force of new requirements for the creation of the tobacco product consumer packaging, for a year there may be found in circulation cigarettes in consumer packaging without drawings (pictograms) or photos on the destructive consequences of tobacco use for people.

Article 22. Requirements for Information on Ingredients Contained in Tobacco Products

1. The manufacturer or importer of tobacco products, sold on the territory of Turkmenistan, must annually, no later than by March 1 of the year following the reporting calendar year, submit to the authorized agency a report on the ingredients contained in tobacco products.

2. The form of the report on the ingredients and requirements for its content are approved by the authorized agency.

3. The authorized agency has the right, at its discretion, to provide information contained in the reports on ingredients.

Chapter 6. Prevention of the Illicit Trade in Tobacco Products. Ban on the Advertising, Promotion of the Consumption, Sale, Promotion and Sponsorship of Tobacco Products

Article 23. Prevention of the Illicit Trade in Tobacco Products.

1. In order to prevent the illicit trade in tobacco products:

1) accounting is performed of tobacco products imported to Turkmenistan during their wholesale and retail trade;

2) measures are carried out to detect cases and prevent the illicit trade in tobacco products, in accordance with the legislation of Turkmenistan.

2. Accounting of tobacco products imported across the State border of Turkmenistan and the wholesale and retail trade in tobacco products are carried out based on the information of the agencies controlling the labeling of tobacco products with excise stamps.

3. The procedure for exchange of information between state agencies performing state regulation of the circulation, advertising and restriction of the consumption of tobacco products is defined by the Cabinet of Ministers of Turkmenistan.

Article 24. Ban on Smoking Tobacco Products on Certain Territories, in the Premises of Enterprises, Organizations and Institutions

To prevent the effects of tobacco smoke on human health the smoking of tobacco products is prohibited:

1) in the premises of state government and administrative agencies, local self-government agencies, at enterprises, in organizations and institutions, regardless of the form of ownership, military units and formations, at shopping sites, in public dining enterprises, consumer service organizations and in hotels;

2) on the territories and in the premises of cultural and educational institutions, physical education and sports sites, health and spa resorts;

3) in the premises of train stations, airports, sea and river ports, in outdoor places at a distance of less than 15 (fifteen) meters from the entrances to the premises of train stations, airports, sea and river ports designed to provide services for passenger transportation on trains, on ships, on aircrafts and all forms of public transportation, on passenger platforms, filling stations;

4) in parks and gardens, underground passages, within territories occupied by beaches, and other places visited en masse by the public;

5) in elevators and common areas of apartment buildings; on playgrounds;

6) in other places stipulated by the legislation of Turkmenistan.

Article 25. Ban on the Advertising, Promotion of the Consumption, Sale, Promotion and Sponsorship of Tobacco Products

1. In order to reduce the consumption of tobacco products, the following are prohibited:

1) advertising of tobacco products in any forms and any kinds of mass media, as well as in places of trade;

2) the distribution of tobacco products among the public free of charge, including in the form of gifts;

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- 3) the use of price discounts on tobacco products by any means;
 - c) the use of a trademark to customize tobacco products, on other types of goods that are not tobacco products, in the production of these goods as well as the wholesale and retail sale of goods that are not tobacco products, but on which the trademark is used to customize the tobacco products;
 - 5) the use and imitation of tobacco products in the production of other types of goods that are not tobacco products, in the wholesale and retail sale of these goods;
 - 6) the organization and performance of events (including lotteries, contests, games), a condition of participation in which is the purchase of tobacco products or in which tobacco products are used as prizes;
 - 7) the use of trade names, trademarks and service marks as well as commercial designations belonging to the tobacco industry (organization), in the implementation of charitable activities;
 - 8) the sponsorship of tobacco products.
2. The demonstration of tobacco products and their consumption in newly created audiovisual works, including television and videos, in theater and entertainment performances, in television, video and film programs, as well as their public performance, broadcast, in which tobacco products and their consumption are demonstrated, with the exception of cases where this action is an integral part of the artistic design, and their promotion in radio broadcasts is not permitted.
 3. The demonstration of tobacco products and the process of their consumption when informing the public about the harm from tobacco product consumption and the harmful effects of tobacco smoke in mass media during the conduct of informational campaigns is permitted.

Chapter 7. Promotion of Knowledge on the Harm from Consumption of Tobacco Products. Provision of Medical Care

Article 26. Promotion of Knowledge on the Harm from Consumption of Tobacco Products.

1. In order to reduce the consumption of tobacco products, the prevention of diseases related to their consumption, the formation of a responsible attitude to health and a negative attitude to the consumption of tobacco products knowledge is promoted on the harm from consumption of tobacco products and the harmful effect of tobacco smoke on humans.
2. Information on the harm from consumption of tobacco products includes the following:
 - 1) information on the benefits of stopping tobacco product consumption;
 - 2) information on the negative medical, demographic, social and economic, and ecological consequences of tobacco product consumption;
 - 3) information on the tobacco organization (industry).
3. The public is informed about the harm from consumption of tobacco products by state government and administrative agencies and local self-government agencies.
4. Education of the public on the harm from tobacco product consumption and the harmful effect of tobacco smoke is carried out in the family, in the process of education and training in educational organizations and medical organizations as well as by employers in the workplace.

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General educational programs and professional educational programs must contain the sections concerning study of the effect on the human body of the consumption of tobacco products and the harmful influence of tobacco smoke.

5. The forms and methods for the promotion of knowledge on the harm of tobacco product consumption are determined by the authorized agency by coordination with the interested parties.

Article 27. Provision of Medical Care to Persons Needing Treatment for Tobacco Product Consumption and the Consequences of Their Consumption

1. Persons who need treatment for the consumption of tobacco products and the consequences of their consumption are provided the corresponding medical care.

2. Medical care to these persons, including prevention, diagnosis and treatment, is provided by medical institutions of the state health care system, in accordance with the state program for providing medical care to citizens.

3. Medical care is provided by the treating physician in accordance with the established standards of medical care and the procedure for its provision with provision to the patient of the necessary information.

Chapter 8. Final Provisions

Article 28. Responsibility for Violation of this Law

Persons guilty of the violation of this Law bear responsibility as established by the legislation of Turkmenistan.

Article 29. Dispute Resolution

Disputes, arising in the field of public health protection from exposure to tobacco smoke and the consequences of tobacco product consumption, are resolved in the procedure established by the legislation of Turkmenistan.

Article 30. Entry into Force of this Law

1. This Law shall enter into force on the day of its official publication, with the exception of provisions for which other terms of their entry into force are established by this article.

2. Part two of article 12, paragraph 4 of part two and paragraph 19 of part four of article 13, part three of article 14, part three of article 16, part nine of article 21 of this Law shall enter into force after 12 months from the day of entry into force of this Law.

3. Part three and paragraph 3 of part four of article 13, part one of article 21 of this Law shall enter into force as of January 1, 2015.

4. Part six of article 21 of this Law shall enter into force 12 months after the approval by the authorized agency of the list of drawings, pictograms and/or photos on the harm from smoking.

5. Legislative acts of Turkmenistan are subject to being brought into compliance with this Law within six months from the date of its entry into force.

Unofficial Translation

President of Turkmenistan
Gurbanguly BERDYMUKHAMEDOV.

Ashgabat, December 18, 2013.

Translation from the state language of Turkmenistan.