

Non-official translation

LAW OF UKRAINE no. 2899-IV

On measures to prevent and reduce the consumption of tobacco products and their harmful influence on the population's health

Passed by the Supreme Council of Ukraine on 22nd of September, 2005.

With amendments, introduced by the Law of Ukraine no. 1512-VI “On the amending of certain legislative acts of Ukraine regarding the relations regulation improvement in the sphere of prevention and reduction of consumption of tobacco products and their harmful influence on the population's health” dated June 11, 2009

and with amendments, introduced by the Law of Ukraine no. 1824-VI “On the amending of certain legislative acts of Ukraine regarding limitation of consumption and sale of beer and low-alcoholic drinks” dated 01.21.2010

and with amendments, introduced by the Law of Ukraine no. 3778-VI “On the Introduction of Changes to Some the Sale of Tobacco Products” dated 22.09.2011.

and with amendments, introduced by the Law of Ukraine no.4844-VI On Amendment of Certain Laws of Ukraine on Improving Certain Provisions on Limiting Places for Smoking dated 24.05.2012.

Amendments, introduced by Law 3778, are italicized and pink-highlighted

Amendments, introduced by Law 4844, are bold-faced and blue-highlighted

This Law defines the main principles and directions of the state policy regarding the prevention of tobacco products smoking, decrease of their consumption by the population, limitation of children's access to them, protection of population's health from the damage resulting from development of deceases, disability , and mortality due to smoking of tobacco products or their consumption in other ways.

Article 1. Terms definition

The terms below are used in the following meanings for the purpose of this law:

- public place – a part (parts) of any building, construction, which is open for free visits of people, for visits on invitation, or for payment, permanently, periodically or from time to time, including front doors, underground walkways, stadiums;
- tobacco addiction (nicotine addiction – psychophysical condition, stipulated by the person's addiction to nicotine and other ingredients of tobacco product, which enter his/her organism due to consumption of tobacco products;
- tobacco substitutes - any substances, which equate to tobacco in their impact on human health, but do not contain tobacco;
- ingredients of tobacco products – any substances, excluding tobacco, which are used for manufacturing of tobacco products;
- tobacco products smoking – actions, resulting in burning of tobacco products, thus emitting tobacco smoke in the air, and is inhaled by a smoker;
- health warning for tobacco products consumers - information, contained on the packs with tobacco products, relating to harmful influence of consumption of these products on human health. Health warnings for consumers of tobacco products consist of main and additional warning;
- “nicotine – nicotine alkaloids”;

- items, related to consumption of tobacco products – cigarette cases, mouthpieces, pipes, cigarette paper, filters, cigar cutters, which are necessary for consumption of tobacco products, except for lighters and matches;
- workplace – an area in a building or a structure, designated for an employee’s work activities;
- “tar – wet, water-free and nicotine-free smoke condensate”;
- tobacco – a substance containing nicotine and produced from Solanaceae species;
- tobacco products – cigarettes with or without filter, cigars, cigarillos, as well as pipe, sniff, sucking, chewing tobacco, rustic tobacco and other products of tobacco or its substitutes for smoking, sniffing, sucking or chewing;
- tobacco smoke – products of burning of tobacco products, emitted in the air as a result of their smoking;
- pack - pack, box or any other form of packing of tobacco products for sale, excluding transparent wrap, used in retail (apart from shipping containers);
- *tobacco advertising and promotion - any form of commercial communication, recommendation or action with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly;*
- *tobacco sponsorship - any form of contribution to any event, activity or individual with the aim, effect or likely effect of promoting a tobacco product or tobacco use either directly or indirectly.*

Article 2. On measures to prevent and reduce consumption of tobacco products and their harmful influence on the population’s health

The legislation of Ukraine on measures to prevent and reduce consumption of tobacco products and their harmful influence on the population's health is based on the Constitution of Ukraine and consists of Fundamentals of the legislation of Ukraine on health protection, current Law and other regulations, adopted according with these.

Supreme Council of Ukraine establishes compliance with the International Treaty of Ukraine. If International Treaty of Ukraine establishes different rules compared to those established by the legislation of Ukraine on measures to prevent and reduce consumption of tobacco products and their harmful influence on population’s health, the rules of International Treaty shall supercede.

Article 3. Main issues of the Law

The main issues of the Law include the following:

- determination of legal and organizational fundamentals of the public policy, dealing with prevention of smoking of tobacco products among children and young people, and reduction of consumption of tobacco products among population aimed to decrease the risk of development of diseases, loss of function and premature mortality due to smoking of tobacco products or their consumption in other ways;
- determination of the authority of Cabinet of Ministers of Ukraine, other bodies of executive power and local self-governance related to prevention and decrease of consumption of tobacco products and their harmful influence on population’s health;
- increase of governmental control over safety of tobacco products, produced or exported into Ukraine, and decrease of toxicity of tobacco products by means of decreasing of content of nicotine, tar, other substances and ingredients of tobacco products, which are harmful for the human health, which are included in tobacco products and are emitted with the tobacco smoke during smoking;

- Improvement of preventive and educational policies, aimed at prevention and reduction of tobacco products smoking or other ways of consumption;
- Treating tobacco (nicotine) dependence in those who wish to get rid of a bad habit of tobacco smoking or other ways of tobacco consumption, as well as with promoting of healthy lifestyle;
- protecting persons from harmful influence of tobacco smoke at work and public places;
- creation of economic and other conditions, which would reduce tobacco products smoking or consumption in other ways, protection of population's health, reduction of diseases and increase of human lifespan;
- informing population about risks and harmful consequences of tobacco products smoking or consumption in other ways to human health regardless of person's age and his/her health condition;
- establishment responsibility for violating legislation on prevention and reduction of consumption of tobacco products and their harmful influence on population's health.

Article 4. Main principles of public policy related to prevention and reduction of consumption of tobacco products and their harmful influence on population's health

According to the issues of the present Law, the public policy, relating to prevention and reduction of tobacco products consumption and their harmful influence on population's health, is based on the following principles:

- legality;
- complex of legal, economic, medical and other measures, aimed at protection of population's health through prevention and reduction of tobacco products consumption;
- gradual and step-by-step measures, aimed at protection of population's health from influence of tobacco smoke, prevention of onset of tobacco products smoking or other ways of their consumption, first of all, among children and young people, and decrease of tobacco products consumption;
- *participation of individuals, citizens' groups, whose activity is not related to the tobacco industry, in the policies on prevention and reduction of tobacco products consumption and their harmful influence on population's health;*
- preventive measures, aimed at preventing tobacco products consumption among children and young people;
- consideration of individual specifics and accessibility of treatment and preventive measures for each person, wishing to quit tobacco products smoking or consuming in other ways;
- access to information about harm to human health caused by consumption of tobacco products and impact of tobacco smoke, as well as on the advantages of healthy life style;
- *priority of the policy in the health protection sphere as compared to financial, tax and corporate interests of economic subjects, the activity of which is related to tobacco industry.*

Article 5. Main approaches of the public policy in prevention and reduction of consumption of tobacco products and their harmful influence on population's health

The main directions of the public policy, related to prevention and reduction of the consumption of tobacco products and their harmful influence on population's health, include the following:

- implementation of a complex of measures to protect population's health from the harmful influence of tobacco smoke, prevention of onset of smoking of tobacco products and limitation of their consumption, first of all, among children and young people;

- spreading information among population on the risks and harmful consequences to human health due to smoking of tobacco products and other ways of their consumption, as well as on harmful influence of tobacco smoke;
- provision of accessibility for rendering of preventive, diagnostic and treatment help, efficient medication provisioning for all people, who smoke tobacco products or consume these in other ways and who wish to get rid of the bad habit by means of creation of all-state programs on prevention, diagnostics and treatment of tobacco addiction (nicotine addiction);
- improving technical base of health protection institutions in order to implement complex measures designed to restore and improve health of population, and to promote healthy lifestyle;
- improving hygienic regulation for tobacco products and methods for ensuring compliance of tar and nicotine content, content of other harmful substances, contained in tobacco products and emitted with tobacco smoke during their smoking, with the indicators, established by the law, taking into account the requirements of international legislation;
- ensuring adherence of economic subjects to appropriate standards, norms, and rules related to production and selling of tobacco products;
- scientific research, related to prevention of using of tobacco products and treatment of tobacco addiction (nicotine addiction);
- assisting mass media in supporting measures on introduction of his public policy in the sphere of control over smoking of tobacco products or using these in other ways.

Article 6. Authority of Cabinet of Ministers of Ukraine related to prevention and reduction of the consumption of tobacco products and their harmful influence on population's health

Cabinet of Ministers of Ukraine:

- shall ensure implementation of uniform public policy, related to prevention and reduction of use of tobacco products and their harmful influence on population's health, and shall develop and approve appropriate programs;
- develops and ensure implementation of respective national programs on prevention and reduction of the consumption of tobacco products and their harmful influence on population's health and ensures the effective use of expenditure from the state budget for implementing the programs;
- develop suggestions relating to improving the tax and financial policies in the field of resisting the spread of smoking of tobacco products or other ways of consumption of such products as well as decrease of their harmful effect on the population's health;
- shall coordinate the activity of executive authorities in the sphere of public policy implementation, which is related to prevention and reduction of tobacco products consumption and their harmful influence on population's health;
- shall implement the system of monitoring of tobacco product consumption among people and of spread of diseases, related to smoking of tobacco products or using these in other ways, evaluating efficiency of implementation of public policies in the sphere of countermeasures to smoking of tobacco products or consuming these in other ways;
- shall sign appropriate international treaties of Ukraine, and shall implement other powers, stipulated by the law.

Article 7. Authorities of the central executive body in the sphere of health protection, related to prevention and reduction of tobacco products consumption and their harmful influence on population's health

Central executive body in the sphere of health protection shall deal with the following in the frames of its competence:

- implementation of the public policy on prevention and reduction of tobacco products consumption and their harmful influence on population's health according to the law, participation in the elaboration and implementation of appropriate national programs on prevention and reduction of tobacco products consumption and their harmful influence on the population's health;
- determine in accordance with the established procedures and with the international legal norms a list of substances and ingredients in tobacco products, harmful for human, and contained in tobacco products, and emitted with tobacco smoke during their smoking;
- development and implementation of measures for diagnosis and treatment of tobacco addiction (nicotine addiction) according to the established procedure on first medical and sanitary aid;
- providing accessible, high-quality and efficient treatment and preventive help to persons, interested in quitting tobacco products;
- taking steps to prevent the spread of tobacco products smoking among population, first of all among children and young people;
- informing population through mass media of harmfulness of smoking or using of tobacco products in other ways, and promoting medical knowledge about prevention of diseases, related to consumption of tobacco products;
- participation in development of training programs dedicated to prevention of smoking of tobacco products or their consumption in other ways, and to treatment of tobacco addiction (nicotine addiction);
- coordinating measures, aimed at limiting tobacco products consumption, as well as reduction of their harmful effect on population's health by the health protection institutions, scientific and research institutions in the appropriate spheres of management;
- efficiency of measures related to population's health protection against harmful consequences of tobacco products consumption, analysis and forecasting of diseases among population, related to consumption of tobacco products;
- organizing scientific research, related to prevention and reduction of smoking of tobacco products or other ways of their consumption among population, and treatment of tobacco addiction (nicotine addiction);
- implementation as per the law of hygienic regulation of dangerous issues, related to consumption of tobacco products, taking into account international legislation;
- participation in development of governmental plans for manufacturing of medications required to treat tobacco addiction (nicotine addiction), implementation of other preventive and treating measures, as well as preparation and re-preparation and advanced training of specialists, trained to prevent and reduce tobacco products smoking or consuming in other ways by population and provide treatment of tobacco addiction (nicotine addiction);
- ensuring cooperation with other central and local executive bodies and public organizations in terms of protection of population's health from harmful consequences of tobacco products consumption;
- preparation of suggestions, related to improvement of tax and financial policies in the sphere of countermeasures against the spread of tobacco products smoking or using in other ways, aimed at reduction of their harmful influence on population's health;

- international cooperation in the sphere of prevention of tobacco products using and decrease of their harmful influence on population's health;
- implementation of other authorities, established by the law.

Article 8. Authorities of Council of Ministers of Autonomous Republic of Crimea and local executive bodies, related to prevention and reduction of tobacco products using and their harmful influence on population's health

Council of Ministers of Autonomous Republic of Crimea and local executive bodies shall deal with the following within their power:

- implementation of national, regional and other programs, directed at prevention and reduction of tobacco products using and their harmful influence on population's health;
- implementation of preventive and treating measures, directed at prevention and reduction of tobacco products using and their harmful influence on population's health;
- observation and collection of data about the spread of tobacco products consumption in the appropriate region, *implementation* of preventive and prophylactic measures to limit the consumption of tobacco products among population, protecting children and young people in the first place from harmful influence of tobacco smoke;
- informing population through the mass media about harm of tobacco products consumption for human health, about diseases and mortality, resulting from consumption of tobacco products in the appropriate region, and of the preventive and prophylactic measures, which were taken;
- assistance with providing funding for treatment and preventive measures and actions, related to prophylactics of diseases, resulting from using of tobacco products and harmful influence of tobacco smoke, as well as treatment of tobacco addiction (nicotine addiction), including annual formation of appropriate budgets;
- implementation of other authorities, envisaged by the law.

Article 9. Authorities of local self-governance bodies related to prevention and reduction of consumption of tobacco products and their harmful influence on population's health

Local self-governance bodies shall deal with the following within their power:

- control over implementation of appropriate programs, directed at prevention and reduction of tobacco products using and their harmful influence on population's health;
- assistance with providing financial and inventory and technical support to activities, aimed at restriction of tobacco products consumption as well as reduction of their harmful influence on population's health;
- implementation in the frames of appropriate administrative and territorial unit of control over the implementation of preventive and treating measures, aimed at restriction of tobacco products use, decrease of their harmful influence on population's health, determination of the places, where smoking is allowed;
- offer preventive measures and efficient treatment, including medications, in public health protection institutions for persons, wishing to quit tobacco smoking or consuming these in other ways.
- implementation of other authorities, envisaged by the law.

Article 10. Requirements concerning activities, related to production, wholesale and retail, export and import of tobacco products

Activities, related to production, wholesale and retail, export and import of tobacco products, shall be held in accordance with the law, taking into account the limitations, envisaged in this article.

It is forbidden to produce tobacco products (except produce for export) and import them for sale on the territory of Ukraine:

- cigarettes with over 1.2 milligram for nicotine and 12 milligram for tar in the smoke of one cigarette;
- cigarette, if their packages lack health warnings to consumers of tobacco products and informational inscription about content of nicotine and tar in the smoke of one cigarette (in relation of cigarettes);
- if their packages contain terms, inscriptions, trade marks, pictures, symbolic or other signs, which may mislead or create wrong impression about tobacco products properties, their effect on health; if they directly or indirectly misrepresent the fact that certain tobacco products are less harmful than other tobacco products, including such terms as “with low tar content”, “light”, “super light”, ultra light” and their analogues in other languages;

The producer of tobacco products is forbidden to place on the packages of tobacco products inserts, containing terms, inscriptions, trade marks, pictures, symbolic or other signs, which may mislead or create wrong impression in relation of tobacco products characteristics, their effect on health; if they directly or indirectly misrepresent the fact that certain tobacco products are less harmful than other tobacco products, including such terms as “with low tar content”, “light”, “super light”, ultra light” and their analogues in other languages;

It is forbidden to include tobacco products and items, related to consumption of tobacco products, in the humanitarian aid, as well as to distribute tobacco products among the population for free.

It is forbidden to support production (import) of tobacco and tobacco products designed for distribution within Ukraine in the form of governmental financing, provisioning of financial support, financial guarantees, subsidies, tax credits (loans) to the appropriate subjects of entrepreneurial activity at the expense of State budget of Ukraine and local budgets.

Article 11. Requirements, concerning the content of substances and ingredients, harmful for human health, which are contained in tobacco products and are emitted with tobacco smoke during smoking, and information on harmful substances and ingredients of tobacco products

Determination of concentration of nicotine, tar, other substances, which are harmful for human health, including ingredients of tobacco products, in tobacco products and tobacco smoke shall be carried out by organizations (laboratories), authorized according to certain procedures stipulated by law to test products for compliance with human safety compliance. The specified organizations (laboratories) are included in the appropriate list, which is subject for disclosure to the public, by the body on technical regulation and consuming policy issues.

The control over adherence to the law-defined standards, related to nicotine and tar content, as well as to the standards related to other substances and ingredients of tobacco products, which are harmful to health, which are produced and sold on the territory of Ukraine, shall be carried out by appropriate authorities of the central executive body on health protection.

Central executive body on health protection shall annually publish the lists of substances and ingredients of tobacco products, harmful for human health, which are included in tobacco products and emitted with tobacco smoke during smoking, as well as inform population by means of mass media of information on harmful substances and ingredients in tobacco products,

which are contained in tobacco products and emitted with tobacco smoke during smoking, on the harm of tobacco products smoking for human health.

At the request of central executive body on health protection the manufacturer or importer of tobacco products shall provide the following information on the content of substances, which are harmful for human health, as stipulated by an act, issued by the Cabinet of Ministers of Ukraine: nicotine, tar, other substances and ingredients of tobacco products, which are harmful to health and are emitted with tobacco smoke during smoking.

Article 12. Health warnings for consumers of tobacco products and informational inscription on the content of nicotine and tar of tobacco products, which are emitted with tobacco smoke during smoking (entered into effect in eighteen months after entering into effect of the Decree of Cabinet of Ministers on approval of pictures and pictograms for additional health warnings – the Decree was officially published on 04.04.2011, thus it means that the date of entering into effect of the current version of the Article 12 was 04.10.2012)

Each package of tobacco products shall include the main health warning for consumers of tobacco products and additional health warning, followed by appropriate colored picture(s) and/or pictogram(s), as well as informational inscription on the content of nicotine and tar in the smoke of one cigarette (in relation of cigarettes).

The main health warning for tobacco products consumers “Smoking kills” shall be located on one large external side of the package of tobacco products.

The second large external side of the package of tobacco products shall include additional health warning of one of ten text inscription with the following content: “Smoking causes lungs cancer”, “Smoking causes tobacco addiction (nicotine addiction) – do not start smoking!”, “Smokers die early”, “Smoking causes ageing of the skin”, “Smoking decreases women’s fertility”, “Stopping smoking greatly reduces the risk of fatal heart and lung diseases”, “Smoking clogs the arteries and causes heart attacks and strokes”, “Smoking may cause a slow and painful death”, “Smoking when pregnant harms your baby”. “Smoking damages sperm and can cause impotence” and colored picture(s) and (or) pictogram(s). Each variant of text inscriptions of additional health warnings shall be printed by the producer of tobacco products on the packages in turn.

The mentioned picture(s) and (or) pictogram(s) are approved by Cabinet of Ministers of Ukraine under the submission of central executive body in the sphere of health protection and shall be reviewed (approved) by Cabinet of Ministers of Ukraine according to the same procedure once per five years.

The picture(s) and (or) pictogram(s) shall be printed by the producer of tobacco products on the packages of tobacco products not later than ~~six~~ eighteen months from the day of entering into force of the Decree of the Cabinet of Ministers on their approval (re-approval).

The main and additional health warnings for tobacco products consumers shall be printed in the place on the package, determined by producer or importer of tobacco products in the black frame with width of at least three millimeters. The area, limited by the frame, including the area of the frame itself, shall constitute at least 50 percent of the area of external side of larger external side of tobacco products package.

The texts of main and additional health warning for tobacco products consumers, which are printed on each package of tobacco products, shall be clear, printed in black bold face on white background with lower-case letters, excluding the first letter of the warning, and shall be located so that the integrity of these texts remains when opening the tobacco products in the way, mentioned on the package, and shall not be covered with any other printed information or marks of excise tax.

Informational inscription on the content of nicotine and tar in the tobacco products, which are emitted with tobacco smoke during smoking, shall be located on the external surface of one smaller side of tobacco products package and take up at least 15 percent of this side area.

Article 13. Limitation for selling and consuming of tobacco products

Selling of tobacco products, items, related to their usage, for persons under 18 years old, as well as selling of tobacco products in packages containing less than 20 cigarettes or by piece (except cigars) is forbidden. The law may envisage other limitations, relating to selling of tobacco products.

“Smoking of tobacco products as well as electronic cigarettes and hookahs is prohibited:

- 1) in elevators and payphones;**
- 2) in the premises and on the territory of healthcare facilities;**
- 3) in the premises and on the territory of educational institutions;**
- 4) on children’s playgrounds;**
- 5) in the premises and on the territory of sports and physical health facilities and physical education and sports institutions;**
- 6) in the entrances to residential buildings;**
- 7) in underground passages;**
- 8) on public passenger transport vehicles;**
- 9) in the premises of catering facilities;**
- 10) in the premises of cultural sites;**
- 11) in the premises of state agencies and local self-government agencies, other state establishments;**
- 12) at fixed public transportation stops.**

Tobacco products smoking is forbidden, except in especially allocated places:

- 1) in the premises of enterprises, institutions and organizations of all forms of ownership.**
- 2) in the premises of hotels and similar places of accommodation;**
- 3) in the premises of dormitories;**
- 4) in airports and train stations.**

In the places and institutions, where smoking is banned, a visual information shall be placed, containing appropriate graphical sign on smoking banning and the text with the following content: “No smoking!”

In the specially allocated places for smoking visual information shall be placed, containing appropriate graphical sign and the text with the following content: “Place for smoking. Smoking is harmful for your health!”

The owner or persons, authorized by him, or tenants of appropriate constructions, certain establishments shall allocate places for smoking, **the total area of which may not exceed 10 percent of the overall area of the relevant building or premises,** equipped with exhaust ventilation or other means for tobacco smoke removal, as well as the display of information stipulated by part five of this article.

Village, settlement and city councils may forbid or restrict tobacco products smoking for the period of mass events holding.

Article 14. Promoting knowledge on the harmfulness of tobacco products smoking and activities on prevention of tobacco products consumption spread.

Aiming at prevention of tobacco products consumption and reduction of their harmful influence on human health, central executive bodies on health protection, education and science, youth and sport, culture and tourism, in the frames of their authorities shall at least quarterly ensure social advertisements, other informational materials on the harm of tobacco products consumption and tobacco smoke inhaling for human health, which emits during tobacco products smoking, which concerns first of all, health of children and young people, and to propagate health life style in the printed media of mass information, on the television and radio.

Training and educational professional programs of all educational institutions of Ukraine, regardless form of ownership, shall include special topics on the harmfulness of tobacco products smoking to human health or other ways of their consumption, first of all for children and young people, as well as on the benefits of healthy lifestyle.

Training and re-training of medical, pharmaceutical, social and pedagogical workers shall include special topics, dedicated to means and measures to prevent and cease tobacco products consumption.

Article 15. Prevention of tobacco products consumption and treatment of tobacco addiction (nicotine addiction)

Medical workers at health institutions of any forms of ownership shall:

- promote medical knowledge on issues of prevention of diseases, resulting from tobacco products smoking or consuming these n any other way, and prevent the consumption among the people, first of all among children and young people;
- give practical advice about healthy lifestyle and recommend against smoking or using tobacco products otherwise, or to quit smoking;
- to explain harmful consequences of tobacco products smoking or using them otherwise, influence of tobacco smoke on human health;
- to provide appropriate treatment and preventive measures for people, wishing to cure tobacco addiction (nicotine addiction).

Health institutions of all forms of ownership shall place visual information in the rooms, where services for citizens are provided, about harmful consequences of tobacco products smoking or other ways of using them for human health, as well practical advice on healthy life style, recommendations, relating to quitting of smoking habit or other ways of using tobacco products.

Medical workers of appropriate educational institutions shall contribute to the introduction of educational programs on the issues of tobacco products consumption prevention.

Sanitary and epidemiological services and health centers shall conduct work in the appropriate regions, aiming at explanation of harmful consequences for human health from tobacco products consuming, and promote healthy lifestyle. National Council of Ukraine on television and radio broadcasting and specially authorized central executive body on television and radio broadcasting, as well as mass media shall assist the aforementioned services with the conduct of this work.

Article 16. Prohibition of Advertising, Promotion of and Sponsorship of Tobacco Products

Prohibited are any advertising and promotion of tobacco products, trademarks for goods and services, other objects of intellectual property rights, under which tobacco products are issued, including:

holding free events, including for marketing research and tasting, exchange of tobacco products for tobacco products or any other goods, work, services;

use of tobacco products to obtain goods, work, services; offering or providing any direct or indirect reimbursement for the purchase or use of tobacco products;

offering or providing bonuses, prizes, return of cash, rights to participate in any games, lotteries, competitions, actions, directly or indirectly associated with tobacco products, or if a condition of the provision or participation in which is the purchase or use of tobacco products;

the sale of tobacco products in a package with any other goods or services;

placement of information on the manufacturer of tobacco products and/or tobacco products in places where these products are sold or provided to the consumer, including the items of equipment and/or design of trade laces, with the exclusion of one poster no larger than 40 x 30 cm per seat trade, which provided the text information about tobacco products offered for sale and their prices;

placement of information to promote the sale of tobacco directly on tobacco products and/or their packages, including: pictures and other images, which are not a part of the protected trademark; the address of websites, email; inserts, attached to the package of tobacco products; text or graphic information on the transparent wrapper of the tobacco product package;

placement of information on tobacco products, trademarks for goods and services, other objects of intellectual property rights, under which tobacco products are issued, in places where recreational events are held, in places where retail trade is conducted, on vehicles and equipment;

sending messages by mail, email, messages to mobile telephones, dissemination of video discs, video materials, compact discs, computer and other games, placement of information on the Internet in order to promote the sale of tobacco products;

the sale, offer for sale, supply or advertising of non-tobacco products, services, the advertising or packaging of which contains an inscription, picture or any other image, message, which is completely or partially identified or associated with a tobacco product, a trademark for tobacco goods or services or with the manufacturer of tobacco products; and other measures for the direct or indirect promotion of the sale of tobacco products and the use of tobacco.

Tobacco sponsorship is prohibited, including:

the sponsorship of television broadcasts, radio broadcasts, theater and concert events, sports and other events, programs and individuals or sponsorship using trademarks for the goods and services, other objects of intellectual property rights under which tobacco products are issued;

the provision by manufacturers of tobacco products or organizations associated with them of financial or other support to events, activities, individuals or groups, including political parties or politicians, sportsmen or sports teams, artists or artist groups, educational institutions of

any form of ownership; and

the conduct of informational campaigns or events for the public, including in order to prevent smoking among young people, with the direct or indirect financial support of the manufacturers of tobacco products or organizations associated with them.”

Article 17. Monitoring of measures of the implementation of public policy to prevent and reduce the consumption of tobacco products and their harmful influence on the population's health

To ensure implementation of the main directions of the public policy, concerning prevention and reduction of tobacco products consumption and their harmful influence on population's health, the central executive body in the sphere of health protection shall hold monitoring of efficiency of the taken measures, which stipulates:

- monitoring population's health, to identify changes resulting from the above mentioned measures, directed at prevention and reduction of tobacco products smoking or other ways of consumption, first of all, among children and young people;
- study of the spread of tobacco products consumption among population and evaluation of the data;
- Development and implementation of methods of prevention, diagnostics and treatment of tobacco addiction (nicotine addiction), diseases, which were triggered by tobacco products smoking or other ways of consumption.

Central executive body on health protection shall annually as per established procedure disclose the results of monitoring in the mass media.

Article 18. International cooperation

Ukraine cooperates internationally with appropriate international organizations in terms of control and counteraction to illegal circulation of tobacco products, and holds mutual actions to prevent spread of tobacco products consumption and to fight the smoking, attempts to equate governmental standards with international standards, which determine the requirements for tobacco products safety. This results in Informational exchange, sharing of progressive technologies, and professional and scientific cooperation between appropriate bodies and organizations.

The government supports all forms of international cooperation, related to prevention of tobacco products consumption, as long as they do not contradict the legislation of Ukraine.

Article 19. Public control of the adherence to the provisions of this Law

State control over the adherence to the provisions of this Law shall be exercised by appropriate specially authorized central executive bodies within the power defined by the law.

Article 20. Responsibility for violation of the legislation on measures to prevent and reduce the consumption of tobacco products and their harmful influence on the population's health

The persons, guilty of the violation of the legislation on measures to prevent and reduce the consumption of tobacco products and their harmful influence on population's health, shall bear responsibility according to the law.

A specially authorized central executive body on protection, standardization, metrology, compliance will impose financial sanctions for violation of this law:

- in case of retail of tobacco products without health warnings on tobacco products and without informational inscription about the content of nicotine and tar in emission of one cigarette (regarding cigarettes) – from fifty to one thousand of hryvnias;
- retail of tobacco products when the concentration of harmful substances exceeds the permitted levels, established by this Law – from one hundred to twenty thousand of hryvnias;
- retail of tobacco products in packages containing words about additional properties of tobacco products, like “with low tar content”, “light”, “super light”, “ultra light”, analogues of

these words in foreign languages, which create the impression that these tobacco products are less harmful for the health – from fifty to ten thousand of hryvnias;

- import, wholesale of tobacco products on the territory of Ukraine without health warnings to tobacco products consumers and without informational inscription about the content of nicotine and tar in the smoke of one cigarette (regarding cigarettes).– from five hundred to ten thousand of hryvnias;
- import, wholesale of tobacco products on the territory of Ukraine when the concentration of harmful substances exceeds the permitted levels, established by this Law – from one thousand to twenty thousand hryvnias;
- import, wholesale of tobacco products in packages containing words about additional properties of tobacco products, like “with low tar content”, “light”, “super light”, “ultra light”, analogues of these words in foreign languages, which create the impression that these tobacco products are less harmful for the health – from five hundred to ten thousand of hryvnias;
- manufacturing and distribution of on the territory of Ukraine of tobacco products without health warnings to tobacco products consumers – from two thousand to twenty thousand of hryvnias;
- manufacturing and distribution on the territory of Ukraine of tobacco products when concentration of harmful substances exceeds the permitted levels, established by this Law – from five thousand to fifty thousand of hryvnias;
- manufacturing and distribution on the territory of Ukraine of tobacco products in packages containing words about additional properties s of tobacco products, like “with low tar content”, “light”, “super light”, “ultra light”, analogues of these words in foreign languages, which create the impression that these tobacco products are less harmful for the health – from two thousand to twenty thousand of hryvnias;
- **placement of ashtrays or smoking in the premises of catering facilities – from one thousand hryvnias to ten thousand hryvnias;**
- **not allocating special places for smoking, not equipping them with air ventilation or other means to remove tobacco smoke, not displaying information stipulated by part five of article 13 of this Law, - from one thousand hryvnias to ten thousand hryvnias.**
- *“violation of the prohibition on advertising, the promotion of the sale and sponsorship of tobacco products – from thirty thousand hryvnias to fifty thousand hryvnias for each instance of advertising on an individual advertising medium or each individual event in order to promote the sale of tobacco products.”*

The resolution of specially authorized central executive body in the sphere of consumer rights protection, standardization, metrology, compliance confirmation, may be appealed against in the court.

Financial sanctions, imposed by specially authorized central executive body in the sphere of consumer rights protection, standardization, metrology, compliance confirmation, shall be recovered according to the procedure, envisaged by the law.

Financial sanctions, envisaged by part 2 of this article, shall be imposed after consideration of materials, proving the fact of violation, shall be imposed by the head, deputy heads of specially authorized central executive body on consumer rights protection, standardization, metrology, compliance confirmation, by the head or deputy heads of specially authorized central executive body in the sphere of consumer rights protection, standardization, metrology, compliance confirmation of the Council of Ministers of Autonomous Republic of Crimea, regions, cities of Kyiv and Sevastopol.

The authorized person of specially authorized central executive body on consumer rights protection, standardization, metrology, compliance confirmation shall make up an act on the commitment of offence, defined by part 2 of this article, which is to be appended to the written explanation of the manager of appropriate economic subject and documents, concerning the case; these materials shall be sent to the official in charge of sanctions imposing within three days.

The decision on the imposing of financial sanctions shall be taken within 10 days after receipt of the documents, mentioned in part 6 of the present article. The decision on the imposing of financial sanctions shall be executed in the form of the resolution, which is to be sent to the economic subject under sanctions and to the bank institution, where this legal entity has current account.

Imposing of financial sanctions shall not release the persons guilty of violation of this Law from disciplinary, civil legal and criminal responsibility, envisaged by the laws of Ukraine.