

Bulgaria, 2014 report

Legislation concerning tobacco advertising

The Tobacco and Tobacco Products Act

Article 35

(Amended, SG No. 110/1996, SG No. 57/2004, SG No. 70/2006, effective as from the date of entry into force of the Treaty concerning the Accession of the Republic of Bulgaria to the European Union)

(1) Advertising of tobacco and tobacco products shall be prohibited, with the exception of:

1. on the territory of enterprises where tobacco or tobacco products are manufactured, and commercial outlets where tobacco and tobacco products are on sale;
2. Usage of a trademark, where participants in the advertisement do not include persons under age and it is not intended for or targeted at such persons;
3. Locations or events where access of persons aged under 18 is prohibited;

(2) Advertising of tobacco and tobacco products in radio- and television broadcasts shall be prohibited.

(3) Advertising of tobacco and tobacco products in the press and in other printed materials, as well as via information society services, shall be permitted only for publications, which are:

1. intended exclusively for professionals in the field of trade in tobacco and tobacco products or for persons, whose primary business activity is manufacture or trade in tobacco and tobacco products;
2. printed or published in a third state and not intended for the market of an European Union Member State or of other states - parties to the European Economic Area Agreement.

(4) Any other advertising of tobacco and tobacco products in the press and in other printed materials, as well as via information society services, shall be prohibited.

(5) Sponsorship by persons, whose primary business activity is manufacture or trade in tobacco and tobacco products, shall be prohibited for:

1. radio- and television broadcasts;
2. events or activities, which are taking place in several European Union Member States or other states - parties to the European Economic Area Agreement, or which may have a trans-boundary implication of a different nature.

(6) Any form of distribution of tobacco products in the cases under paragraph 5, point 2 with the objective of direct or indirect publicity of tobacco products, shall be prohibited.

Radio and Television Act

Art. 75 (6) All forms of commercial communications for cigarettes and other tobacco products shall be prohibited.

Art.82, (2) Media services or programmes may not be sponsored by undertakings whose principal activity is the manufacture or sale of cigarettes and other tobacco products.

Art 84, par (3) Programmes must not contain product placement of:

1. cigarettes or tobacco products or product placement of similar products from undertakings whose principal activity is the manufacture or sale of cigarettes and other tobacco products;
2. specific medicinal products available only on prescription, or medical treatment available only on prescription.