

Act

amending the Tobacco Act

In accordance with the decision of Parliament the following sections of the Tobacco Act (549/2016) are *amended*: section 2, paragraphs 25 and 33; section 6, paragraph 1; section 8, introduction to subsection 1; section 22, subsection 1; section 30, subsection 3; sections 31 and 34; introduction to section 40; section 44, subsection 1; the title and subsection 1 of section 48; section 50, subsection 1; section 52a; section 53, subsection 1; sections 58 and 59; section 60, subsection 2, paragraph 1 and subsections 3 and 4; sections 62, 65 and 66; section 67, subsection 1, paragraph 3; section 74, subsection 1, paragraph 6 and subsection 3; section 81; section 90, subsection 1, paragraphs 1 and 2, and paragraph 3 of subsection 3; section 91, subsection 2 and introduction and paragraph 5 of subsection 4; section 94, subsections 2 and 3; section 97, subsection 1, paragraphs 1, 2 and 6; section 100, introduction and paragraphs 3 and 4 of subsection 1; section 109; section 113, subsection 2; and sections 117, 118 and 119;

of these, as the introductory part of subsection 1 of section 8 is laid down in Act 547/2022; the introductory part of section 40 is laid down in Act 136/2022; sections 52a, 58, and 65; subsection 1, paragraph 6 of section 74; introduction and paragraph 5 of subsection 4 of section 91; subsection 3 of section 94; and section 117 are laid down in Act 283/2022; subsection 4 of section 60, subsection 1, paragraphs 1, 2, and 6 of section 97, and section 109 are laid down in Act 1374/2016; subsection 3 of section 74 is laid down in Act 191/2025; subsection 2 of section 94 is laid down in Act 701/2018; the introductory part and paragraphs 3 and 4 of subsection 1 of section 100 are laid down in Act 262/2022; and section 119 is laid down in Act 248/2019; and

to section 2, as partially set out in Acts 248/2019, 1170/2022, and 212/2023, a new paragraph 14a, to the Act new sections 25a, 29a, 29b, and 39a to 39c, to subsection 1 of section 67, as partially set out in Act 283/2022, a new paragraph 4, to section 80 a new subsection 2, and to subsection 4 of section 91, as set out in Act 283/2022, new sections 6 and 7 are *added* as follows:

Section 2

Definitions

For the purposes of this Act:

14a) *smokeless nicotine product* refers to a tobacco substitute which in respect of its intended use corresponds to a tobacco product referred to in paragraphs 10 to 12, and which contains nicotine;

25) *characterising fragrance or flavour* refers to a fragrance or flavour other than tobacco, resulting from an additive or a combination of additives, which is clearly noticeable in a tobacco product, nicotine-containing liquid, nicotine-free liquid for vaporisation or smokeless nicotine product before or during use of the product;

33) *point of sale* refers to a customer service counter in a retail outlet from which tobacco products, nicotine-containing liquids or smokeless nicotine products are made available or sold;

Section 6

Duties of Valvira

The National Supervisory Authority for Welfare and Health (*Valvira*) directs the Regional State Administrative Agencies and municipalities in the performance of their duties under this Act. *Valvira* supervises:

1) compliance with the provisions on the ingredients, emissions, fire safety, quality, and technical characteristics of tobacco products, electronic cigarettes, refill containers, nicotine-containing liquids, nicotine-free liquids intended for vaporisation, plant-based products for smoking, and smokeless nicotine products;

Section 8

Functions of municipalities

A municipality would, in cooperation with the wellbeing services county, be responsible for local activities to stop smoking and the use of other nicotine-containing products. In its area, the municipality shall supervise:

Section 22

General obligations of the manufacturer and importer of certain other products

The manufacturer and importer are responsible for ensuring that electronic cigarettes, refill containers, nicotine-containing liquids, nicotine-free liquids for vaporisation, plant-based products for smoking, or smokeless nicotine products comply with the relevant provisions and regulations.

Section 25a

Requirements for smokeless nicotine products

It is prohibited to sell or transfer to consumers a smokeless nicotine product with:

1) a nicotine content of more than 16.6 milligrams per gram of product;
2) a characteristic fragrance or flavour; however, a smokeless nicotine product may taste like menthol or mint.

A smokeless nicotine product may not be sold or otherwise handed over to the consumer in the form of a ready-to-use dose unit weighing less than 0.5 grams or more than 1 gram.

The provisions of section 11, subsection 1, paragraphs 2, 3, 5, 7 and 9, concerning tobacco products also apply to smokeless nicotine products.

Section 29a

Declaring smokeless nicotine products

The manufacturer or importer of a smokeless nicotine product must inform Valvira in advance of the product it intends to sell or otherwise pass on to consumers. Similarly, any significant changes to products must also be declared before the product is sold or otherwise passed on to consumers.

The declaration referred to in subsection 1 above must contain:

- 1) the name and contact details of the manufacturer, the legal or natural person responsible for the product in the EU, and the importer of the product into the EU;
- 2) a list of all the ingredients contained in the product sorted by brand and type, and the quantities of ingredients;
- 3) toxicological data on the ingredients of the product, considering in particular their addictive effect;
- 4) information on the dosage of nicotine when the product is used under normal or reasonably foreseeable conditions;
- 5) information stating that the manufacturer or importer bears full responsibility for the quality and safety of the product when it is placed on the market and when it is used under normal or reasonably foreseeable conditions.

Section 29b

Sales volumes of smokeless nicotine products

Each year, the manufacturer or importer of a smokeless nicotine product must provide Valvira with information on the sales volumes of smokeless nicotine products by brand and type.

Section 30

Method, model, and timing of the submission of information for certain other products

Further provisions on the manner and model for the submission of the information referred to in sections 26, 27, 29a, and 29b, and on the timing of the submission of the information referred to in section 27; 28, subsection 1; and 29b may be issued by decree of the Ministry of Social Affairs and Health.

Section 31

General provision on unit packets

Tobacco products, electronic cigarettes, refill containers, plant-based products for smoking, nicotine-containing liquids, nicotine-free liquids for vaporisation, and smokeless nicotine products may be sold and otherwise passed on to consumers only in retail packaging that is in accordance with this Act and the provisions adopted pursuant to it and the relevant EU

legislation. Cigars may however be passed on individually if they are labelled in accordance with section 32, subsection 1, paragraph 1.

Section 34

Minimum packaging size for tobacco products and smokeless nicotine products

The minimum size of the unit packet of a tobacco product is 20 cigarettes, 30 grams of roll-your-own or pipe tobacco or 10 cigarillos. The minimum size of the unit packet of a smokeless nicotine product is 20 dose units and 30 grams of loose product.

Tobacco products or smokeless nicotine products, with the exception of cigars, may not be sold or otherwise handed over to consumers in a unit packet containing smaller packages or which can be divided into smaller packages.

The minimum dimensions of the unit packet of a tobacco product may be laid down by decree of the Ministry of Social Affairs and Health for the implementation of EU legislation.

Section 39a

Labelling of unit packets of smokeless nicotine products

The unit packet of a smokeless nicotine product must bear:

- 1) a list of the ingredients contained in the product in descending order of weight;
- 2) an indication of the nicotine content and dosage of the product;
- 3) the manufacturer's batch number;
- 4) a recommendation to keep the product out of reach of children;
- 5) Finnish and Swedish-language health warnings.

The provisions of section 33 also apply to unit packets of a smokeless nicotine product, with the exception of paragraphs 2, 5 and 8 of that section.

The unit packet of a smokeless nicotine product may display the product name and group of products, the trade name and contact details of the manufacturer or importer, and the size, flavour and bar code of the product in such a way that the unit packet cannot by its labelling be distinguished from other unit packets of smokeless nicotine products and where the labelling does not promote the sale of the product.

Unless otherwise provided elsewhere by law, the unit packets of smokeless nicotine products may not bear any markings other than those which are mandatory or permitted on unit packets pursuant to subsections 1 to 3.

Further provisions may be laid down by decree of the Ministry of Social Affairs and Health on:

1) the texts, font type and size, colour, surface area, placement, and other specifications concerning the health warning referred to in subsection 1, paragraph 5;

2) as regards the font type, size, colour, surface, positioning and other specification of the particulars referred to in subsection 3; derogations from the requirement of uniformity laid down in subsection 3 may also be provided for by decree of the Ministry of Social Affairs and Health, provided that the derogation is minor and does not promote the sale of the product.

Section 39b

Other appearance elements of unit packets of smokeless nicotine products

A unit packet of a smokeless nicotine product may not differ in form, colour, material, or other presentation element from other retail packets of smokeless nicotine products, nor may the presentation of the unit packet contribute to the sale of the product.

More detailed provisions on the authorised shape, colour, material, and other appearance elements of unit packets of smokeless nicotine products may be issued by decree of the Ministry of Social Affairs and Health. Derogations from the uniformity requirement laid down in subsection 1 may also be given by decree of the Ministry of Social Affairs and Health in respect of the presentation of a unit pack, if the exemption is minor and does not promote the sale of the product.

Section 39c

Appearance of smokeless nicotine products

A smokeless nicotine product may not be distinguished by its shape, colour, surface or other appearance from other smokeless nicotine products of the same product group, nor must its appearance be used to promote the sale of the product.

More detailed provisions on the permitted form, colour, surface, and other appearance elements of smokeless nicotine products may be issued by decree of the Ministry of Social Affairs and Health. A decree of the Ministry of Social Affairs and Health may also provide for exceptions to the requirement of uniformity laid down in subsection 1 with regard to the appearance of a smokeless nicotine product if the derogation is minor and does not promote the sale of the product.

Section 40

Exemption to warning labelling in international traffic

The provisions of paragraph 1 of subsection 1 of section 32, paragraph 5 of subsection 1 of section 36, subsection 1 of section 39, and paragraph 5 of subsection 1 of section 39a on the use of Finnish and Swedish-language in warning labels do not apply to the sale of tobacco products, electronic cigarettes, refill containers, plant-based products for smoking, and smokeless nicotine products:

Section 44

Licence requirements for retail sales

Tobacco products, nicotine-containing liquids, and smokeless nicotine products may only be sold or passed on in retail on the basis of a place and holder-specific retail licence granted by the municipality where the place of sale is located. Licences for retail operations on mobile means of transport is however granted by the municipality of residence of the applicant.

Section 48

Declaration of the retail sale of nicotine-containing liquids and smokeless nicotine products

The holder of a retail licence for tobacco products issued under the old Tobacco Act may also sell nicotine-containing liquids and smokeless nicotine products at the same point of sale after having issued a written notification to the municipality that granted the licence and after

providing the municipality with an update of the information referred to in section subsection 1 of section 46.

Section 50

Declaration requirement for wholesale

Wholesale of tobacco products, nicotine-containing liquids, and smokeless nicotine products may be carried out by an operator that has issued a written declaration to the municipality where the place of sale is located. The declaration must contain the information referred to in subsection 1 of section 46. A similar declaration must be made before the activity is substantially changed and when the activity is terminated.

Section 52a

Ban on the sale of products intended for flavouring tobacco products and smokeless nicotine products

No product may be sold or otherwise passed on to the consumer for the purpose of creating a characteristic fragrance or flavour in a tobacco product or a smokeless nicotine product.

Section 53

Prohibition of selling to minors

Tobacco products, nicotine-containing liquids, and smokeless nicotine products may not be sold or otherwise passed on or conveyed to persons under the age of 18.

Section 58

Prohibition of distance selling

Cross-border distance sales of tobacco products, electronic cigarettes, nicotine-containing liquids, plant-based products for smoking, and smokeless nicotine products are prohibited. A trader established in Finland may additionally not sell or otherwise pass on such products to the consumer using a means of distance communication in the sense of chapter 6, section 7, subsection 2 of the Consumer Protection Act (38/1978).

Section 59

Prohibition of sale by customs auction

Tobacco products, plant-based products for smoking, electronic cigarettes, nicotine-containing liquids, and smokeless nicotine products may not be sold at a customs auction.

Section 60

Wholesale restrictions

Nicotine-containing liquids may only be sold wholesale to wholesale distributors that have issued the declaration referred to in section 50 for resale purposes and to those who have:

1) a retail licence referred to in section 44 and who have declared that they sell nicotine-containing liquids pursuant to section 46, subsection 1, paragraph 2, or section 49; the provisions of this subsection above on nicotine-containing liquids also apply to smokeless nicotine products;

Tobacco products, nicotine-containing liquids, or smokeless nicotine products may not be sold on a wholesale basis in the places referred to in section 45, subsection 3.

Tobacco products, nicotine-containing liquids, and smokeless nicotine products may furthermore be sold on a wholesale basis to retailers who do not need a retail licence under this Act and to wholesalers who are not subject to the declaration obligation under this Act.

Section 62

Prohibition on imports by minors

A person under the age of 18 may not import a tobacco product or tobacco substitute.

Section 65

Prohibition of importation of products obtained by means of distance communication

Private individuals may not obtain or receive from traders tobacco products, electronic cigarettes, nicotine-containing liquids, plant-based products for smoking, or smokeless nicotine products by post, transport of goods, or other similar means from outside Finland.

Section 66

Time limits for passenger imports

A person residing in Finland who arrives in the country from outside the European Economic Area other than by air and whose journey has lasted up to 24 hours is not allowed to import tobacco products, nicotine-containing liquids, or smokeless nicotine products into the country.

A person residing outside the European Economic Area who arrives in the country from outside the European Economic Area other than by air, and whose non-transit-related stay in Finland does not exceed three days, may not import tobacco products, nicotine-containing liquids, or smokeless nicotine products into the country.

The provisions of subsection 1 notwithstanding, a person may import tobacco products, nicotine-containing liquids, and smokeless nicotine products if it is evident that they were acquired before leaving the country. The provisions of subsection 2 notwithstanding, a person may import said products if it is evident that they are intended for their personal use for the duration of their stay in the country.

Section 67

Quantitative limits on passenger imports

Private individuals are not allowed to import:

3) more than 200 units of ready-rolled and 250 grams in loose form of herbal products for smoking, the unit packet labelling of which deviates from that provided for in section 39, subsection 1;

4) more than 1 000 grams of smokeless nicotine products, the unit packet labelling of which deviates from that provided for in section 39a, subsection 1, paragraph 5.

A private individual may not import the products referred to in subsection 1 except for their own personal use.

Section 74

General smoking bans

Smoking is not allowed:

6) at a public beach from the beginning of May to the end of September; *Public beach* means a beach where the municipal health protection authority expects a significant number of people to swim and for which a notification must be made in accordance with section 13, subsection 1 of the Health Protection Act (763/1994).

Smokeless tobacco products and smokeless nicotine products must not be used in the indoor or outdoor areas of kindergartens and educational institutions providing pre-school and basic education, vocational education or upper secondary school education, or in playgrounds or play areas referred to in subsection 1 paragraph 4.

Section 80

Smoking ban signage

The provisions of subsection 1 on smoking bans also apply to the prohibition on the use of smokeless tobacco and smokeless nicotine products laid down in section 74, subsection 3.

Section 81

Enforcement of smoking bans

A person violating the smoking ban referred to in section 74, subsection 1 and not stopping smoking despite being asked to do so, the holder of the place or their representative may

remove the person from the premises, unless such removal can be regarded as unreasonable. The provisions above on smoking bans also apply to the prohibition on the use of smokeless tobacco and smokeless nicotine products laid down in section 74, subsection 3.

Section 90

Fees for processing applications and notifications

Municipalities collect fees according to their approved rates for:

1) the processing of an application for a retail licence referred to in section 44; the fee is also levied on the notification of an amendment to the retail licence concerning the extension of retail sales to new product groups;

2) the processing of a notification concerning the retail sale of nicotine-containing liquids or smokeless nicotine products referred to in section 48;

Valvira may charge the manufacturer or importer a fee for:

3) the receipt, storage, processing, analysis, and publication of information submitted to the agency pursuant to sections 14 to 16, 18, 20, 26 to 29, 29a, and 29b, and for measures related thereto;

Section 91

Supervisory fees of the Tobacco Act

A supervisory fee may not exceed EUR 500 per point of sale. However, if an operator has declared the retail sale or wholesale of both tobacco products and nicotine-containing liquids in accordance with section 46, subsection 1, paragraph 2 or section 50, subsection 1, or has declared the retail sale of nicotine-containing liquids as referred to in section 48, the supervisory fee is charged at most double. The provisions of this subsection above on nicotine-containing liquids also apply to smokeless nicotine products.

In order to cover the costs of monitoring this Act, Valvira charges an annual supervisory fee to manufacturers and importers of tobacco products, nicotine-containing liquids, nicotine-free liquids intended for vaporisation, and smokeless nicotine products. The supervisory fee is calculated on the basis of the sold quantities declared by the manufacturer or importer to Valvira in the previous calendar year pursuant to sections 16, 27, and 2b:

- 5) nicotine-containing liquids and nicotine-free liquids for vaporisation: EUR 0.01 per millilitre;
- 6) smokeless nicotine products sold in portion units: EUR 0.001 per piece;
- 7) other smokeless nicotine products: EUR 1.7 per kilogram.

Section 94

Storage and publication of product control information

With the exception of trade secrets, Valvira places the information obtained under section 14, subsection 1, paragraphs 1 to 4, and sections 15, 18, 26, 29, 29a, and 29b on a website accessible to the public, where information can only be searched as individual queries using the name of the product or the name of the registered or the business register and company code of the registered.

By way of derogation from section 16, subsection 3 of the Act on the Openness of Government Activities (621/1999), the name of the natural person referred to in section 26, subsection 2, paragraph 1 and section 29a, subsection 2, paragraph 1 of this Act is made public as such when information is made available in accordance with subsection 2 of this section.

Section 97

Revocation of a retail licence

A municipal authority may revoke a retail licence referred to in section 44 or issued under the old Tobacco Act for a period of at least one week and not more than six months, if the holder of the retail licence, in spite of receiving a written warning from a municipality or other supervisory authority or a criminal penalty:

1) sells or otherwise passes on tobacco products, electronic cigarettes, refill containers, nicotine-containing liquids, nicotine-free liquids for vaporisation, plant-based products for smoking, or smokeless nicotine products, the unit packets of which do not comply with the provisions of chapter 5;

2) fails to declare the sale of nicotine-containing liquids or smokeless nicotine products in violation of section 48 or essential information referred to in section 49;

6) sells or otherwise makes available tobacco products, electronic cigarettes, nicotine-containing liquids or smokeless nicotine products to the consumer by means of distance communication in violation of section 58;

Section 100

Ban on sales

Valvira may prohibit the sale and other passing on of tobacco products, electronic cigarettes, nicotine-containing liquids, nicotine-free liquids for vaporisation, plant-based products for smoking, and smokeless nicotine products, if:

3) the manufacturer or importer has not provided Valvira with the information referred to in sections 14 to 16, 18, 20, 26, 27, 29, 29a, or 29b in the prescribed manner, within the prescribed time period, or using the prescribed model, or if the information provided is not correct;

4) the manufacturer or importer has failed to pay Valvira the fee referred to in section 90, subsection 3 or section 91, subsection 4.

Section 109

Tobacco sales offence

Any party which deliberately,

- 1) in violation of section 53, subsection 1, sells or otherwise passes on or conveys for consideration a tobacco product, nicotine-containing liquid, or smokeless nicotine product to a person under the age of 18,
- 2) in violation of section 51, sells or otherwise passes on or conveys for consideration chewing tobacco, nasal tobacco, or tobacco intended for oral use,
- 3) in the course of trade or otherwise sells or otherwise passes on tobacco products, nicotine-containing liquids, or smokeless nicotine products without a retail licence in violation of section 44 or without declaring the retail sale of nicotine-containing liquids or smokeless nicotine products pursuant to section 48 or 49, or
- 4) in violation of section 60, in wholesale sells or otherwise passes on tobacco products, nicotine-containing liquids, or smokeless nicotine products to an operator other than the one referred to in the said section,

is sentenced to a fine or imprisonment of up to six months for an *offence relating to the sale of tobacco*.

Section 113

Smoking offence

The provisions on smoking in subsection 1 also apply to the smoking of plant-based products intended for smoking and the use of electronic cigarettes and the use of smokeless tobacco products and smokeless nicotine products in violation of section 74, subsection 3 in the indoor and outdoor areas of a kindergarten or educational institution providing preliminary or basic education, vocational education or upper secondary school education, and on playgrounds.

Section 117

Outer packaging

The provisions of this Act on the unit packets of tobacco products, plant-based products for smoking, electronic cigarettes, refill containers, nicotine-free liquids for vaporisation, and smokeless nicotine products also apply to any outer packaging of the products, with the exception of section 32, subsection 1, paragraph 2, sections 34 and 35, and chapter 6.

Section 118

Prohibition of possession

A person under the age of 18 may not possess a tobacco product or tobacco substitute.

Section 119

Disposal

An official with the right to arrest may demonstrably dispose of or arrange the disposal of such a tobacco product, plant-based product for smoking, electronic cigarette, nicotine-containing liquid, or smokeless nicotine product that may be confiscated if there is reason to believe that it will be declared lost and which has no significant sale or use value.

This Act shall enter into force on 1 August 2025. However, section 25a, section 34 and subsection 1 of section 39a of this Act enter into force six months after the entry into force of this Act and subsections 2 to 4 of section 39a, sections 39b and 39c, and subsection 2 of section 80 enter into force one year after the entry into force of this Act.

The provisions of section 65 do not apply to smokeless nicotine products acquired before the entry into force of this Act.

Smokeless nicotine products sold or otherwise passed on to consumers in Finland upon the entry into force of this Act must be declared pursuant to section 29a within six months of the entry into force of this Act. The manufacturer or importer of a smokeless nicotine product must submit the information referred to in section 29b to Valvira for the first time in the calendar year following the entry into force of this Act.

A trader who, upon the entry into force of this Act, sells or otherwise passes on smokeless nicotine products in retail and within three months of the entry into force of this Act submits to the municipality an application for a licence for the retail sale of smokeless nicotine products referred to in section 46, or declares the retail sale of smokeless nicotine products referred to in section 48 or 49, may, subsection 1 of section 44 notwithstanding, sell or otherwise pass on smokeless nicotine products in retail for a period of one year after the entry into force of this Act.

A trader who, upon the entry into force of this Act, sells or otherwise transfers smokeless nicotine products in wholesale sales and within three months of the entry into force of this Act, submits a notification to the municipality of the wholesale sale of smokeless nicotine products provided for in section 50, may, without prejudice to section 50, sell smokeless nicotine products on a wholesale basis for a period of one year after the entry into force of the proposed Act. The provisions of the introductory paragraph to subsection 2 of section 60 notwithstanding, a trader may sell or otherwise supply for resale smokeless nicotine products for a period of three months from the entry into force of this Act, and, paragraph 1 of that subsection notwithstanding, for a period of one year after the entry into force of this Act, if the buyer can prove that they have submitted the application or notification referred to in that paragraph.

Helsinki, 23 May 2025

President of the Republic

Alexander Stubb

Minister of Social Security Sanni Grahn-Laasonen