

DRAFT

DECREE

of 2025,

amending Decree No 37/2017 on electronic cigarettes, their refill containers, and herbal products intended for smoking

Pursuant to § 19(4) of Act No 110/1997 on foodstuffs and tobacco products and amending certain related acts, as amended by Act No 180/2016 and Act No 174/2021 (hereinafter the "Act"), the Ministry of Health lays down the following:

Article I

Decree No 37/2017 on electronic cigarettes, their refill containers, and herbal products intended for smoking is amended as follows:

1. At the end of footnote 1, the sentence "Commission Implementing Decision (EU) 2015/2186 of 25 November 2015 establishing a format for the submission and making available of information on tobacco products" is added on a separate line.
2. In § 2(a), the words "common entry gate" are replaced with the words "common entry gate portal" and the words "that is" are inserted after the words "information".
3. In § 2(c), the words "any natural or juridical person that" are replaced by the words "any seller, including a natural person, that".
4. At the end of § 2(x), the full stop is replaced by a comma and subparagraph (y) is added, which reads as follows:
"d) a characteristic flavour means a clearly recognisable aroma or flavour of coffee, tea, tobacco, mint, or other plants, including their fruits, flowers, seeds, leaves, and extracts thereof, or a combination thereof."
5. At the end of § 3(1)(b), the word "and" is replaced with a comma.
6. At the end of § 3(1), the full stop is replaced with the word "and", and subparagraph (d) is added, including footnote 2, which read:
"d) in accordance with Part 3, point 3.1.2 or 3.1.3 of Annex II to Regulation (EC) No 1272/2008 of the European Parliament and of the Council²⁾ on classification, labelling and packaging of substances and mixtures, which shall apply to all electronic cigarettes and their refill containers pursuant to the Act.

²⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006, as amended.'.

7. In § 3(2), the words ", or nicotine salts" are inserted after the word "nicotine".

8. After § 3(3), a new paragraph (4) is added, which reads as follows:

"(4) The ingredients listed in Annex 1 to this Decree must not be used in the manufacture of e-liquids. The ingredients listed in Annex 2 to this Decree may be contained in e-liquids in quantities not exceeding those specified herein.

Existing paragraphs (4) to (8) are renumbered as paragraphs (5) to (9).

9. In § 3(5), the words ", or nicotine salts" are inserted after the word "nicotine".

10. In § 3(6)(a), the word "vitamins" is replaced by the word "vitamins³⁾".

³⁾ Regulation (EC) No 1925/2006 of the European Parliament and of the Council of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to foods, as amended.

11. In § 3(6)(c), the word "and" is deleted.

12. At the end of § 3(6), the full stop is replaced with a comma and the following subparagraphs (e) to (h) are added, including footnotes 4 to 6:

"e) sugars and sweeteners or other ingredients that create or contribute to the formation of a sweet smell or flavour; the prohibition of such ingredients does not apply to products with a characteristic flavour;

f) mineral or vegetable oils and fats, including as a diluent or in any other capacity;

g) cannabinoids and their derivatives; and

h) psychomodulatory substances, scheduled psychoactive substances or addictive substances pursuant to the Addictive Substances Act⁴⁾, specified of category 1 pursuant to directly applicable European Union legislation regulating drug precursors⁵⁾, substances having an anabolic or other hormonal action⁶⁾, substances of a hormonal nature and other substances that have a toxic, genotoxic, teratogenic, hallucinogenic or narcotic effect in heated or unheated form, and substances from which psychomodulatory substances, scheduled psychoactive substances, or addictive substances are derived by heating pursuant to the Addictive Substances Act⁴⁾.

⁴⁾ Act No 167/1998 on addictive substances and amending certain other acts, as amended.

⁵⁾ Regulation (EC) No 273/2004 of the European Parliament and of the Council of 11 February 2004 on drug precursors, as amended.

⁶⁾ Government Regulation No 454/2009 laying down, for the purposes of the Criminal Code, what are considered to be substances with anabolic or other hormonal effects and what is considered, for the purposes of the Criminal Code, as a method of increasing the transfer of oxygen in the human body and as other methods with a doping effect, as amended."

13. In § 3(7), the following sentence is added: "If the liquid contains nicotine salt, then the limitation to the nicotine content under the first sentence applies to the nicotine content converted from nicotine salt."

14. In § 3, the following sentence is added at the end of paragraph 9: "A disposable electronic cigarette may have only one cartridge or one tank."

15. The following § 3(10) and (11) are added:

‘(10) The shape, appearance, unit packaging and outer packaging of electronic cigarettes and refill containers must not resemble a food, cosmetic product, or toy.

(11) Electronic cigarettes and refill containers must not permit functions other than the use of vapour".

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16. In the heading of § 4, the words ", **that can be used for the consumption of nicotine-containing vapour,**" and the word "**their**" are deleted.

17. In the introductory part of § 4(1) and (2), the words "that may be used for the consumption of vapour containing nicotine" and the words "with nicotine content" are deleted.

18. In § 4(1)(a), the text "+-" is replaced with the text "±".

19. In § 4(3), the words "containing nicotine" are deleted.

20. At the end of § 4(3), the following sentence is added: "A refillable electronic cigarette must not contain more than three tanks or cartridges."

21. In § 5(1)(a), the words "printed irremovably" are replaced with the words "irremovably printed directly on the unit packet and outside packaging".

22. At the end of § 5(2), the words ", and the same name must be used that is notified in the manner specified in § 6(1)(a) of this Decree" are added.

23. At the end of § 5(2), the following sentence is added: "Ingredients used in quantities of 0.1% or less in the final composition of a liquid may be considered a business secret and need not be listed if they are not ingredients causing allergies or intolerances as defined in Article 9(1)(c) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council⁷⁾."

⁷⁾ Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004, as amended.

24. After § 5(2), the following new paragraph (3) is inserted:

"(3) Information on the nicotine content of the product pursuant to § 12h(2)(c) of the Act is given in mg/mL of liquid. Information on the quantity of nicotine in a dose pursuant to § 12h(2)(d) of the Act is given in µg per dose. A dose is defined as one puff from an e-liquid. If the e-liquid contains nicotine salt, the required information is stated converted to the amount of nicotine.

Existing paragraphs (3) to (7) are renumbered as paragraphs (4) to (8).

CELEX: 32014L0040

25. § 5(4) reads as follows:

"(4) Health warnings on each unit packet and on any outside packaging of electronic cigarettes and refill containers if the product

a) contains nicotine or nicotine salt, shall be worded as follows: "This product contains nicotine, which is a highly addictive substance. It is not recommended for use by non-smokers."; or

b) does not contain nicotine or nicotine salt and is an electronic cigarette placed on the market without e-liquid or with e-liquid without nicotine content or a refill container without nicotine content, shall be worded as follows: "Use of this product is harmful to your health."."

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26. After § 5(4), the following new paragraph (5) is inserted:

"(5) The obligation to display health warnings on electronic cigarettes pursuant to paragraph (4) does not apply to the mouthpiece or any other component of this product, with the exception of a cartridge or tank or a device without a tank or cartridge.".

Existing paragraphs (5) to (8) are renumbered as paragraphs (6) to (9).

27. In the introductory part of § 5(6), the number "3" is replaced with "4".

28. After § 5(6), the following new paragraphs (7) and (8) are inserted:

"(7) No additional text may be placed on the packaging that would comment on, paraphrase, trivialise, or invoke the health warning under paragraph (4) in any way.

(8) The health warning provided pursuant to paragraph (4) must not be partially or fully covered or obscured when using a tobacco sticker.".

Existing paragraphs (7) to (9) are renumbered as paragraphs (9) to (11).

29. In the introductory part of § 5(9), the words "Labelling of the electronic cigarette and refill container themselves, unit packaging, and any external packaging" are replaced with "Unit packaging and any external packaging of electronic cigarettes and refill containers, labelling of the electronic cigarette and refill container themselves".

30. In § 5(9)(b), the commas after the words "natural effects" and the word "agriculture" are deleted.

31. In § 5(9)(c), the words "or cosmetic product, or" are replaced by the words ", cosmetic product, or toy,".

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32. At the end of § 5(9), the full stop is replaced with a comma and the following subparagraphs (e) to (h) are added:

"e) is associated with illegal or hazardous substances or substances that promote socially undesirable behaviour;

f) indicates an increased possibility of achieving social or societal success;

g) suggests or is reminiscent of vulgar expressions; or

h) directly or indirectly targets persons under the age of 18 or is based on the culture of such persons.".

33. After § 5(9), the following new paragraph (10) is added:

"(10) Information on the flavour of an electronic cigarette or refill container may only be provided in the form of text that is followed by the word 'flavour'.".

Paragraphs (10) and (11) are renumbered as paragraphs (11) and (12).

34. In § 5(11), the word "suggest" is replaced by the words "contain any element or

characteristic suggesting".

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35. In § 5(12), the words "paragraph (5) or (6) may be" are replaced by the words "paragraphs (9) and (11) are defined in particular", the words "subtype name," are inserted after the words "trade mark," and the words ", even in the case of foreign-language text or its equivalent in the Czech language" are inserted after the words "other symbol".

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36. The following § 5(13) and (14) are added:

"(13) On the outside of the unit packets and outside packaging, in addition to the information per § 12h(2) of the Act, the following must be provided in the manner specified in subparagraph (1):

- a) the identification number under which the electronic cigarette or refill container is notified in accordance with § 12h(4)(a) of the Act;
- b) a graphic symbol together with the text "Product not intended for persons under 18 years of age." and the sentences "Product not intended for pregnant and breastfeeding women." and "Keep out of reach of persons under 18 years of age." pursuant to § 12h(2)(f) of the Act; the graphic symbol "This product is not intended for persons under 18 years of age." is provided in Annex 3 to this Decree.

(14) In addition to the information per § 12h(2) of the Act, the unit packets and outside packaging may be labelled with one barcode or QR code. The QR code must not be linked to information other than barcode information or information required by law. The barcode or QR code must not depict an image, pattern, or symbol that resembles anything other than a barcode or QR code. Labelling packaging with a barcode or QR code is not a substitute for the mandatory provision of information required by law."

37. In the introductory part of § 6(1), the text "and (5)" is inserted after the text "§ 12h(4)(a)" and the words "common entry gate for the submission of information" are replaced with the word "portal" and the words "implementing decision establishing a format for the submission and making available of information on tobacco products" are replaced with the words "Commission Implementing Decision (EU) 2015/2183".

38. At the end of the text of § 6(1)(c), the words "or nicotine salts" are added.

39. At the end of the text of § 6(1)(e), the following words are added: "; the description of the production process including technological and hygiene requirements, and the method and conditions of transport, storage, and handling of the

product pursuant to § 12a(1)(a) of the Act must be provided at least within the scope of Czech technical standard ČSN EN 17647 establishing the general principles for manufacturing, filling, and holding e-liquids for prefilled containers or products".

40. In § 6(1)(g), the word "entrepreneur" is inserted after the word "or".

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41. After § 6(1) a new paragraph (2) is inserted, which reads as follows, including footnotes 8 to 10:

‘(2) Notifications through the portal pursuant to § 12h(4)(a) and (5) of the Act shall contain, in addition to the mandatory information pursuant to Commission Implementing Decision (EU) 2015/2183,

- a) the name and contact information of the juridical or natural person with registered office in the Czech Republic responsible for placing the product on the Czech market, unless already notified pursuant to paragraph (1); this person is defined as an affiliated undertaking pursuant to Part 2.2 of the Annex to Commission Implementing Decision (EU) 2015/2186;
- b) if the person pursuant to subparagraph (a) does not have a registered office in the Czech Republic, the notification must then include the details of the authorised representative pursuant to Article 3(12) of Regulation (EU) 2019/1020 of the European Parliament and of the Council⁸⁾ or Article 3(9) of Regulation (EU) 2023/988 of the European Parliament and of the Council⁹⁾;
- c) for electronic cigarettes filled with a liquid and replacement refills for electronic cigarettes, a safety data sheet prepared pursuant to directly applicable European Union legislation¹⁰⁾;
- d) the date of withdrawal of the electronic cigarette or refill container from the market, unless the information pursuant to § 12h(4)(b) of the Act has been notified.

⁸⁾ Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011, as amended.

⁹⁾ Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council and Directive (EU) 2020/1828 of the European Parliament and the Council, and repealing Directive 2001/95/EC of the European Parliament and of the Council and Council Directive 87/357/EEC.

¹⁰⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC, as amended,

Existing paragraphs (2) to (6) are renumbered as paragraphs (3) to (7).

42. In § 6(3), the words "Ministry of Health" are replaced with the words "portal operator" and the words "common entry gate" are replaced with the word "portal".

CELEX: 32015D2183

43. In § 6(4), the words "in accordance with the procedure laid down in Commission Implementing Decision (EU) 2015/2183" are added at the end of the first sentence.

44. In § 6(6), the words "at least 6 months" are inserted after "is submitted".

45. After § 6(6), the following new paragraph (7) is added:

"(7) The notification pursuant to paragraph 2(a) to (c) is submitted before being placed on the market, and the notification pursuant to paragraph 2(d) is submitted pursuant to § 8(3) of this Decree."

CELEX: 32014L0040

Paragraph (7) is renumbered as paragraph (8).

46. In the introductory part of § 8(1), the words "is submitted through the portal and" are inserted after the word "Act".

CELEX: 32015D2183

47. In § 8(2), the words "or nicotine salts" are inserted after the word "nicotine".

48. In § 9(1)(a), the words "printed irremovably" are replaced with the words "irremovably printed directly on the unit packet and outside packaging".

49. In § 9(2), the word ", underplay" is inserted after the words "paraphrase".

50. At the end of the text of § 9(3), the words "and when using a tobacco sticker may not be partially or fully covered or obscured" are added.

51. At the end of the text of § 9(4)(d), the word "and" is deleted.

52. At the end of § 9(4), the full stop is replaced with a comma and the following subparagraphs (f) and (g) are added:

"f). be parallel to the main text in the area reserved for this warning; and

g) be indicated on the two largest surfaces of the unit packet and any outside packaging; if the unit packet or outside packaging is cylindrical, on the one largest surface of the unit packet and any outside packaging."

53. In the introductory part of § 9(5), the words "Labelling of the herbal product intended for smoking itself, the unit packet, and any outside packaging" are replaced with the words "Unit packet and any outside packaging of the herbal product intended for smoking, labelling of the herbal product intended for smoking itself".

54. In § 9(5)(c), the words "or cosmetic product; or" are replaced by the words ", cosmetic product or toy;".

55. At the end of § 9(5), the full stop is replaced with a comma and the following subparagraphs (e) to (j) are added:

"e) suggests that a certain tobacco product has improved biodegradability or other environmental advantages;

f) refers to an aroma, flavour or taste other than that of the plants, herbs, or fruit which form the basis of the product;

g) is associated with illegal or hazardous substances or with substances promoting socially undesirable behaviour;

h) suggests an increased ability to achieve social or societal success;

i) suggests or is reminiscent of vulgar expressions; or

j) directly or indirectly targets persons under the age of 18 or is based on the culture of such persons."

56. In § 9(6), the words "paragraph (5) may be" are replaced by the words "paragraphs (5) and (7) are defined in particular", the words "subtype name," are inserted after the words "trade mark," and the words ", even in the case of foreign-language text or its equivalent in the Czech language" are added at the end of the text of paragraph (6).

CELEX: 32014L0040

57. The following § 9(7) and (8) are added:

"(7) Unit packets and any outside packaging of electronic cigarettes or refill containers must not contain any element or characteristic suggesting financial benefits, including benefits through printed coupons, discount offers, free distributions, offers of the type 'two for the price of one', or similar offers.

(8) In addition to the information per § 12j(2) of the Act, the unit packets and outside packaging may be labelled with one bar code or QR code. The QR code must not be linked to information other than barcode information or information required by law. The barcode or QR code must not depict an image, pattern, or symbol that resembles anything other than a barcode or QR code. Labelling packaging with a barcode or QR code is not a substitute for the mandatory provision of information required by law."

58. In the introductory part of § 10(1), the words "common entry gate for the submission of information" are replaced with the words "portal" and the words "implementing decision establishing a format for the submission and making available of information on tobacco products" are replaced with the words "Commission Implementing Decision (EU) 2015/2186".

59. In § 10(1)(a), the word "sole proprietor" is inserted after the words "juridical or".

CELEX: 32014L0040

60. After § 10(1), the following new paragraph (2) is added:

"(2) Notifications through the portal pursuant to § 12j(3) of the Act shall contain, in addition to the mandatory information pursuant to Commission Implementing Decision (EU) 2015/2186,

a) the name and contact information of the juridical or natural person with registered office in the Czech Republic responsible for placing the product on the Czech market, unless already notified pursuant to paragraph (1); this person is defined as an affiliated undertaking pursuant to Part 2.2. of the Annex to Commission Implementing Decision (EU) 2015/2186;

b) if the person under subparagraph (a) does not have a registered office in the Czech Republic, the notification must then include the details of the authorised representative pursuant to Article 3(12) of Regulation (EU) 2019/1020 of the European Parliament and of the Council⁸⁾;

c) the description of the production process including technological and hygiene requirements, the method and conditions of transport, storage and handling of the product pursuant to § 12a(1)(a) of the Act, at least within the scope of the Czech technical standard ČSN EN 17647 establishing the general principles for manufacturing, filling and holding e-liquids for prefilled containers or products;

d) a safety data sheet prepared in accordance with directly applicable European Union legislation¹⁰⁾, if the product contains a chemical substance or chemical mixture;

e) the amount of nicotine in the emissions, if the product contains nicotine or nicotine salt;

f) data on the sales volumes of herbal products intended for smoking by brand and type; the manufacturer and importer shall submit the data for each calendar year no later than by 31 May of the subsequent calendar year; and

g) the date of withdrawal of the herbal product intended for smoking from the market, unless the information under subparagraph (f) has been notified.

Existing paragraphs (2) to (5) are renumbered as paragraphs (3) to (6).

CELEX: 32015D2186

61. In § 10(3), the words "Ministry of Health" are replaced with the words "portal operator" and the words "common entry gate" are replaced with the word "portal".

CELEX: 32015D2186

62. In § 10(4), the following words are added at the end of the text of the first sentence: ‘in accordance with the procedure laid down in Commission Implementing Decision (EU) 2015/2186’.

63. At the end of § 10(5), the following sentence is added: "The notification pursuant to paragraph (2)(a) to (e) shall be submitted prior to placing on the market."

64. After § 10 a new § 10a is inserted, which, including the heading, reads as follows:
"§ 10a

Availability of Czech technical standards

The Czech technical standards used pursuant to this Decree are published on the website of the Czech Standardization Agency."

65. The following Annexes 1 and 3 are added to the end of the Decree:

Ingredients that must not be used in the manufacture of e-liquids

CAS No (EC number) FEMA number	Ingredient name and synonyms IUPAC general
75-07-0	acetaldehyde
513-86-0 (208-174-1) FEMA 2008	3-Hydroxybutane-2-one acetoin
8001-88-5 (620-877-9) 85940-29-0 (288-919-5)	Birch tar oil Betula pendula extract
8013-76-1 (640-369-0) FEMA 2046	bitter almond oil
431-03-8 (207-069-8) FEMA 2370	2,3-butanedione, butane-2,3-dione, dimethyl glyoxal, diacetyl
77-92-9 (201-069-1)	2-hydroxypropane-1,2,3-tricarboxylic acid Citric acid and hydrated variants
110-16-7 (203-742-5)	(2Z)-but-2-enedioic acid Maleic acid and hydrated variants
110-15-6 (203-740-4)	1,4-butanedioic acid, succinic acid Succinic acid and hydrated variants
8013-10-3 (985-048-6)	Juniper tar oil, caparlem
600-14-6 (209-984-8) FEMA 2841)	Pentane-2,3-dione; 2,3-pentanedione Acetylpropionyl
8013-99-8 (8013-99-8) FEMA 2839	Pennyroyal – oil from the pennyroyal plant
84787-72-4 (284-113-2) FEMA 3010 FEMA 3011 8006-80-2 (616-892-5)	Bark, leaves, wood of the white sassafras plant (Sassafras albidum) Oil of the white sassafras plant (Sassafras albidum) Safrole

56038-13-2 (259-952-2)	1,6-Dichloro-1,6-dideoxy-beta-D-fructofuranosyl 4-chloro-4-deoxy-alpha-D-galactose sucralose
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Maximum permitted quantity of selected ingredients in e-liquid

CAS No (EC number) FEMA number	Ingredient name and synonyms IUPAC General	Maximum content of the ingredient in the liquid [mg/kg]
5273-86-9 (226-096-6)	1,2,4-trimethoxy-5-[(Z)-prop-1-enyl]benzene CIS-1-propenyl-2,4,5-trimethoxybenzene β -asaron	1
140-67-0 (205-427-8)	1-allyl-4-methoxybenzene; 4-allylanisole; isoanethol; methyl charvicol, allylanisole estragole	10
74-90-8 (200-821-6)	HCN hydrogen cyanide	35
494-90-6 (207-795-5) 17957-94-7 (995-924-2) 80183-38-6 FEMA 3235	3,6-dimethyl-4,5,6,7-tetrahydro-1-benzofuran (6R)-4,5,6,7-Tetrahydro-3,6-dimethylbenzofuran menthofuran	200
93-15-2 (202-223-0)	1,2-Dimethoxy-4-(prop-2-enyl)benzene Methyleugenol; Allylveratrol	1
89-82-7 (201-943-2) FEMA 2963	(5R)-5-methyl-2-propan-2-ylidenecyclohexan-1-one p-menth-4(8)-en-3-one pulegone	20
76-78-8 (200-985-9)	2,12-Dimethoxypicrasa-2,12-diene-1,11,16-trione quassin	0.5
12798-51-5 (683-194-5)	(1R,5'S,8S,9S,10S,11S)-5'-(furan-3-yl)-11-hydroxy-10-methylspiro[2-oxatricyclo[6.3.1.0 ^{4,12}]dodec-4(12)-ene-9,3'-oxolane]-2',3-dione Teucrin A	2
76231-76-0 (629-556-8) 546-80-5 (208-912-2) 471-15-8 (620-564-7)	(1S,5R)-4-methyl-1-propan-2-ylbicyclo[3.1.0]hexan-3-one 1-isopropyl-4-methylbicyclo[3.1.0]hexan-3-one (1S,4S,5R)-4-methyl-1-(propan-2-yl)bicyclo[3.1.0]hexan-3-one α + β -thujone	0.5
91-64-5 (202-086-7)	1-benzopyran-2-one, chromen-2-one 4,6-dimethyl-alpha-pyrone Coumarin, gamma-hexalactone	5

Graphical symbol

The graphical symbol "This product is not intended for persons under the age of 18 years." having the character of a prohibition sign (Figure 1) has a circular shape with a diameter of at least 1 cm on a white background and a circle with a thicker red edge, a red diagonal stripe over the black text "18" on a white background.

Figure 1



Article II

Transitional provisions

1. Information pursuant to § 6(2)(a) and (b) of Decree No 37/2017, as amended from the effective date of this Decree, for electronic cigarettes and their refill containers notified or notified and placed on the market pursuant to Decree No 37/2017, as amended before the effective date of this Decree, shall be notified at the latest by the end of the third calendar month following the effective date of this Decree.
2. Information pursuant to § 10(2)(a) and (b) of Decree No 37/2017, as amended from the effective date of this Decree, for herbal products intended for smoking notified or notified and placed on the market pursuant to Decree No 37/2017, as amended before the effective date of this Decree, shall be notified at the latest by the end of the third calendar month following the effective date of this Decree.
3. Products related to tobacco products that comply with the requirements laid down in Decree No 37/2017, as amended before the effective date of this Decree, and that were produced or manufactured and placed on the market and labelled before the effective date of this Decree, may be offered for sale and sold for a maximum of 7 months from the effective date of this Decree.

Article III

Technical regulation

This Decree was notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

Article IV

Effective date

This Decree shall take effect on the first day of the calendar month following the date of its promulgation.

Minister: