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# 463

# Decree of 21 November 2022, amending the Tobacco and Smoking Products Decision related to the regulation of flavours for e-cigarettes

We, Willem-Alexander, by the Grace of God, King of the Netherlands, Prince of Orange-Nassau, etc., etc., etc.

On the recommendation of the State Secretary for Public Health, Welfare and Sport of 9 July 2021, reference 3228310-1009241-WJZ;

Having regard to Article 2(1) of the Tobacco and Smoking Products Act;

Having heard the Advisory Division of the Council of State (Opinion of 1 September 2021, No W13.21.0202/III);

Having regard to the further report of the State Secretary for Health, Welfare and Sport, of 4 November 2022, reference 3457804-1038626-WJZ;

Have approved and hereby decree the following:

## Article I

Article 2.4 of the Tobacco and Smoking Products Decree is amended as follows:

1. ‘1.’ is included before the text.
2. Three paragraphs shall be added, reading:
3. It shall be prohibited to use other flavouring additives as ingredients of nicotine-containing and non-nicotine-containing liquids and of components of electronic vapour other than those stated by ministerial order.
4. By ministerial order, flavouring additives may be limited to a minimum or a maximum number of flavouring additives to be combined, and a minimum or a maximum quantity of flavouring additives.
5. A ministerial order may determine the exclusively relevant ministerial methods of investigation used to assess whether or not, in relation to nicotine-containing and non-nicotine-containing liquids and other components of electronic vapour, the requirements of paragraphs 2 or 3 are met.

## Article II

This Decree shall enter into force on 1 January 2023.

We order this Decree to be published in the Official Gazette [Staatsblad] together with its annexed explanatory memorandum.

The Hague, 21 November 2022

Willem-Alexander

The State Secretary for Health, Welfare and Sport,

M. van Ooijen

Issued on the *twenty-fourth* of November 2022

The Minister of Justice and Security,

D. Yeşilgöz-Zegerius

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