

Regulation of the State Secretary for Health,
Welfare and Sport of _____, amending the
Tobacco and Smoking Products Regulation in order to establish a
list of additives prohibited for tobacco products and e-cigarettes

The State Secretary for Health, Welfare and Sport,

Having regard to Article 2(1) of the Tobacco and Smoking Products Act, Articles 2.3 and 2.4(1) of the Tobacco and Smoking Products Decree and Article 7(6) of Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC (OJ 2014 L 127);

Hereby decrees the following:

Article I

The Tobacco and Smoking Products Regulation is amended as follows:

A

Article 1.1(1) is amended as follows:

1. The definition of Annex reads as follows:

Annex 1: Annex 1 to the Tobacco and Smoking Products Regulation;

2. The following terms and definitions are now inserted in alphabetical order:

Annex 2: Annex 2 to the Tobacco and Smoking Products Regulation;

B

In Article 2.2(1)(a), 'the Annex to this Regulation' is replaced by 'Annex 1'.

C

A new paragraph is added to Article 2.6, reading:

3. Additives as referred to in paragraph 1 and Article 7(6) of the Tobacco Products Directive shall in any case include the additives listed in Annex 2.

D

Article 2.10 is amended as follows:

1. '1.' is included before the text.

2. A paragraph is added, reading:

2. Additives as referred to in Article 20(3)(c), read in conjunction with Article 7(6) of the Tobacco Products Directive shall in any case include the additives listed in Annex 2.

E

Renumbering paragraphs 3 and 4 to paragraphs 4 and 5, a paragraph is inserted in Article 2.11, reading:

3. Additives as referred to in paragraph 2 shall in any case include the additives listed in Annex 2.

F

The heading of the Annex reads as follows:

Annex 1. Related to Article 2.2

G

Annex 2 as set out in the Annex to this Regulation is added.

Article II

This Regulation shall enter into force on 1 January 2024.

This Regulation and the explanatory notes shall be published in the Government Gazette.

The State Secretary for Health,
Welfare and Sport,