

**ACT****amending and supplementing the Tobacco, Tobacco and Related Products Act**

(promulgated., SG, No 101 of 1993; amended, No 19 of 1994, No 110 of 1996, No 153 of 1998, No 113 of 1999, No 33 and 102 of 2000, No 110 of 2001, No 20 of 2003, No 57 and 70 of 2004, No 91, 95, 99 and 105 of 2005, No 18, 30, 34, 70, 80 and 108 of 2006, No 53 and 109 of 2007, No 36, 67 and 110 of 2008, No 12, 82 and 95 of 2009, No 19 of 2011, No 50 of 2012, No 12 and 14 of 2015, No 19, 28, 31 and 101 of 2016, No 58, 63, 85, 92, 97 and 103 of 2017, No 17, 98 and 106 of 2018, No 7, 17 and 83 of 2019, No 102 of 2022, No 52, 100, 102 and 106 of 2023, No 70 and 79 of 2024 and No 54 of 2025)

**§ 1.** Article 30(2) is supplemented as follows:

1. In point (1), after the word ‘products’, the words ‘products other than tobacco products, smokeless tobacco products, novel tobacco products and heated tobacco products’ are added.

2. In point (2), after the word ‘products’, the words ‘products other than tobacco products, smokeless tobacco products, novel tobacco products and heated tobacco products’ are added.

3. In point (12), after the word ‘containing’, the words ‘or not containing’ are added.

**§ 2.** In Article 31, the words ‘and of single-use electronic cigarettes containing or not containing nicotine’ are added at the end.

**§ 3.** Article 35 is amended as follows:

1. Paragraph (3)(1) is amended to read as follows:

‘(1). intended exclusively for professionals involved in the trade in tobacco, tobacco and related products, reusable electronic cigarettes containing or not containing nicotine and refill containers containing or not containing nicotine, or for persons whose principal business is the manufacture of or trade in tobacco, tobacco and related products, nicotine-containing or non-nicotine-containing electronic cigarettes and refill containers containing or not containing nicotine;’.

2. In paragraph (7), the words ‘electronic cigarettes and refill containers’ are replaced by ‘reusable electronic cigarettes containing or not containing nicotine and for refill containers containing or not containing nicotine’.

3. In paragraph (8), all instances of the words ‘electronic cigarettes, refill containers and nicotine-containing liquids’ are replaced by ‘tobacco products’.

**§ 4.** Article 43a is supplemented as follows:

1. In paragraph (1), the words ‘reusable, nicotine-containing or nicotine-free’ are inserted after the word ‘cigarettes’ and ‘nicotine-containing or nicotine-free’ are inserted after the word ‘filling’.

2. In paragraph (2), in the text before point (1), the words ‘reusable, nicotine-containing or nicotine-free’ are inserted after the word ‘cigarettes’ and ‘nicotine-containing or nicotine-free’ are inserted after the word ‘filling’.

3. In paragraph (6), first sentence, after the word ‘cigarette’, the words ‘reusable, nicotine-containing or nicotine-free’ are inserted after the word ‘filling’, the words ‘reusable, nicotine-containing or nicotine-free’ are inserted after the word ‘filling’, and the words ‘containing or nicotine-free’ are inserted after the word ‘cigarettes’.

4. In paragraph (8), in the text before point (1), the words ‘reusable, nicotine-containing or nicotine-free’ are inserted after the word ‘cigarettes’ and ‘nicotine-containing or nicotine-free’ are inserted after the word ‘filling’.

5. New paragraph (11) is inserted:

‘(11) manufacturers and importers of reusable electronic cigarettes containing or not containing nicotine and/or refill containers containing or not containing nicotine shall also provide the data referred to in paragraph (2)(2) to the competent authority referred to in Article 21c(1) of the Protection against the Harmful Effects of Chemical Substances and Mixtures Act.’

**§ 5.** Article 43b is amended and supplemented as follows:

1. In paragraph (1), in the text before point (1), after the word ‘cigarettes’, the words ‘reusable, nicotine-containing or nicotine-free’ are added and after the word ‘filling’, the words ‘containing or nicotine-free’ are added.

2. In paragraph (2), after the word ‘cigarettes’ the words ‘reusable, nicotine-containing or nicotine-free’ are added, after the word ‘filling’ the words ‘containing or nicotine-free’ are added and the words ‘use of tobacco products’ are replaced by ‘until use of tobacco and related products’.

**§ 6.** In Article 43c, the words ‘reusable, nicotine-containing or nicotine-free’ are inserted after the word ‘cigarettes’ and ‘nicotine-containing or nicotine-free’ are added after the word ‘filling’.

**§ 7.** Article 43d is supplemented as follows:

1. In paragraph (1), in the text before point (1), after the word ‘cigarettes’, the words ‘reusable, nicotine-containing or nicotine-free’ are added and after the word ‘filling’, the words ‘containing or nicotine-free’ are added.

2. In paragraph (3), in the text before point (1), in the first sentence, after the word ‘cigarettes’, the words ‘reusable, nicotine-containing or nicotine-free’ are added and after the word ‘filling’, the words ‘containing or nicotine-free’ are added.

3. In paragraph (5), in the text before point (1), in the first sentence, after the word ‘cigarettes’, the words ‘reusable, nicotine-containing or nicotine-free’ are added and after the word ‘filling’, the words ‘containing or nicotine-free’ are added.

**§ 8.** Article 43e is amended and supplemented as follows:

1. In paragraph (1):

a) in the text before point (1), after the word ‘containing’ the words ‘or not containing’ are added;

b) in point (1), the words ‘in disposable electronic cigarettes’ are deleted.

2. In paragraph (2), first sentence, after the word ‘containing’ the words ‘or not containing’ are added.

3. New paragraph (4) is inserted:

‘(4) Only ingredients which do not pose a risk to human health in heated or unheated form may be used in the nicotine-containing liquid.’

**§ 9.** In Article 43g, after the word ‘cigarettes’, the words ‘reusable, nicotine-containing or nicotine-free’ are added and after the word ‘filling’, the words ‘containing or nicotine-free’ are added.

**§ 10.** Article 43h is amended and supplemented as follows:

1. In paragraph (1), in the text before point (1), after the word ‘cigarettes’, the words ‘reusable, nicotine-containing or nicotine-free’ are added and after the word ‘filling’, the words ‘containing or nicotine-free’ are added.

2. In paragraph (2):

a) in the text before point (1), after the word ‘cigarettes’, the words ‘reusable, nicotine-containing or nicotine-free’ are added and after the word ‘filling’, the words ‘containing or nicotine-free’ are added;

b) the following point (6) is inserted:

‘(6). Information on the content of flavourings.’

3. In paragraph (3):

a) in the text before point (1), after the word ‘cigarettes’, the words ‘reusable, nicotine-containing or nicotine-free’ are added and after the word ‘filling’, the words ‘containing or nicotine-free’ are added;

b) the following point (6) is inserted:

‘6. Refer to the number of pulls during the consumption of the product.’

4. The following paragraph (4a) is inserted:

‘(4a) A health warning shall be affixed to unit packets and any outside packaging of nicotine-free reusable electronic cigarettes, nicotine-free refill containers and nicotine-free liquids: ‘This device poses a risk to your health’.’

5. Paragraph (5) is amended as follows:

‘(5) Article 35l(2) shall apply to the health warnings referred to in paragraphs (4) and (4a).’

**§ 11.** The following Chapter 13a is inserted with Articles 43l and 43m:

‘Chapter 13a’

**PRODUCTS CONTAINING NICOTINE AND PRODUCTS OTHER THAN TOBACCO PRODUCTS**

Article 43l. (1) A health warning shall be affixed to the unit packet and any outside packaging of nicotine-containing products: ‘This product contains the very addictive substance nicotine. It is not recommended for use by non-smokers’.

(2) the health warning referred to in paragraph (1) must:

1. meet the requirements of Article 35i;
2. be printed parallel to the main text on the surface intended for it;
3. it shall cover 30 per cent of the largest surface area of the unit packet and any outer packaging.

Article 43m. (1) A health warning shall be affixed to the unit packet and to any outside packaging of products other than tobacco products: ‘This product poses a risk to your health’.

(2) the health warning referred to in paragraph (1) must:

1. meet the requirements of Article 35i;
2. be printed parallel to the main text on the surface intended for it;

3. it shall cover 30 per cent of the largest surface area of the unit packet and any outer packaging.’

**§ 12.** Article 46 is amended as follows:

1. In paragraph (1), the words ‘points (10) to (20)’ are replaced by the words ‘points (10) to (21)’, the words ‘BGN 1 000 to 3 000’ are replaced by the words ‘BGN 2 000 to 4 000’ and the words ‘BGN 2 000 to 5 000’ are replaced by the words ‘BGN 4 000 to 7 000’.

2. In paragraph (2), the words ‘BGN 2000 to BGN 5000’ are replaced by the words ‘BGN 3000 to BGN 6000’ and the words ‘BGN 4000 to BGN 8000’ are replaced by the words ‘BGN 7000 to BGN 10 000’.

**§ 13.** Article 51b is amended and supplemented as follows:

1. In paragraph (1), after the word ‘cigarettes’ the words ‘reusable, containing or not containing nicotine’ are added, after the word ‘filling’ the words ‘containing or not containing nicotine’ are added, the words ‘and Article 43k(1) to (3)’ are replaced by the words ‘Article 43k, (1) to (3), Articles 43l and 43m’, the words ‘BGN 1000 to BGN 3000’ are replaced by the words ‘BGN 2 000 to BGN 4 000’ and the words ‘BGN 2 000 to BGN 5 000’ are replaced by the words ‘BGN 4 000 to BGN 7 000’.

2. In paragraph (2), the words ‘BGN 2 000 to BGN 5 000’ are replaced by ‘BGN 3 000 to BGN 6 000’ and the words ‘BGN 4 000 to BGN 8 000’ are replaced by the words ‘BGN 7 000 to BGN 10 000’.

**§ 14.** In § 1 of the Additional Provisions the following amendments and supplements shall be made:

1. Point (8) is amended to read as follows:

‘(8). ‘Tobacco related products’ means electronic cigarettes containing or not containing nicotine, refill containers containing or not containing nicotine, nicotine-free or nicotine-free liquids, nicotine-containing products, products for smoking other than tobacco products, products other than tobacco products and water-pipe products containing no tobacco.’

2. In point (39), in the first sentence, after the word ‘containing’, the words ‘or not containing’ are added, and in the second sentence, after the word ‘cigarettes’, the words ‘containing or not containing nicotine’ are added, and finally the words ‘containing or not containing nicotine’ are added.

3. The following point (39a) is inserted:

‘(39a). ‘Single-use electronic cigarette’ means a type of electronic cigarette, whether or not containing nicotine, in which the liquid is factory loaded by a manufacturer and cannot be supplemented or refilled in any way. Refill containers containing or not containing nicotine, refill containers and refill cartridges containing or not containing nicotine shall not be considered as a single-use electronic cigarette.’

4. In point (40), after the word ‘containing’, the words ‘or not containing’ are added and the words ‘reusable’ are added at the end.

5. Point (46a) is amended as follows:

‘(46a). ‘Products other than tobacco products’ means products intended for the introduction of smoke or aerosol by inhalation into the human body, which do not contain tobacco and/or nicotine and plants and substances prohibited by the Law on the Control of Narcotic Drugs and Precursors, and which may be consumed through a combustion, heating and/or evaporation process.’

## TRANSITIONAL AND FINAL PROVISIONS

**§ 15.** Reusable electronic cigarettes containing or not containing nicotine, refill containers containing or not containing nicotine, products containing nicotine and products other than tobacco products that have been manufactured or placed on the market until the entry into force of this Act and do not meet the requirements of this Act, may continue to be placed on the market until stocks are exhausted, but not later than three months after the entry into force of this Act.

**§ 16.** For reusable nicotine-free electronic cigarettes and nicotine-free refill containers which have been manufactured or placed on the market before the entry into force of this Act, manufacturers, importers or persons introducing into the territory of the country from another Member State of the European Union, reusable nicotine-free electronic cigarettes and/or nicotine-free refill containers shall submit a notification under the conditions and in accordance with the procedure laid down in Article 43a(1) to (4) within three months of the entry into force of this Act.

**§ 17.** (1) Within 7 days of the entry into force of this Act, persons placing on the market, storing, selling, keeping and/or offering disposable electronic cigarettes containing or not containing nicotine shall submit an inventory of the available quantities to the territorial directorate of the Customs Agency at the location of the site.

(2) The inventory referred to in paragraph (1) shall contain:

1. the company, the registered office and the address of management, the unique identification code of the obligated person referred to in paragraph (1);

2. the exact address of the premises:

3. the quantities of single-use electronic cigarettes containing or not containing nicotine available at the date of entry into force of this Act – total and by product type:

a) product trade name;

b) product packaging/description;

c) capacity of the consumer package in millilitres;

d) total number of consumer packages;

4. name, surname and position of the person who prepared the inventory;

5. Name, surname, position and signature of the person representing the taxable person under paragraph (1);

6. date of filing.

(3) The quantities of products referred to in paragraph (1) entered in the inventory referred to in paragraph (2) may, within three months of the entry into force of this Act, be:

1. exported from the territory of the country to the territory of a third country or a third territory or dispatched from the territory of the country to the territory of another Member State, where if stamps are affixed to consumer packaging, the tax stamps shall be scrapped in accordance with the procedure provided for in the regulations implementing the Excise Duties and Tax Warehouses Act;

2. realised in the retail network.

(4) For the established available quantities of single-use electronic cigarettes after the expiry of the period referred to in paragraph (3), the customs authorities shall notify the officials of the Consumer Protection Commission of violations under Article 46 concerning Article 30(2) (18) and Article 31.

**§ 18.** In the Consumer Protection Act (promulgated, SG, No 48 of 2000; amended, No 75 and 120 of 2002, No 36 and 63 of 2003, No 70 and 115 of 2004, No 28, 94 and 103 of 2005, No 30, 38 and 82 of 2006, No 59 of 2007, No 69 of 2008, No 14, 47 and 74 of 2009, No 42, 50, 59 and 98 of 2010, No 28 and 51 of 2011, No 32 and 40 of 2012, No 15, 68 and 84 of 2013, No 79 of 2015, No 8 of 2016, No 85 and 103 of 2017, No 17, 77 and 102 of 2018, No 17, 24, 58 and 101 of 2019, No 71 and 99 of 2020, No 62 of 2022, No 66 and 106 of 2023 and No 39 and 79 of 2024) is amended and supplemented as follows:

1. In Article 5b:

a) in paragraph (3), the words ‘products other than tobacco products’ shall be deleted and the words ‘and heated tobacco products’ shall be replaced by ‘heated tobacco products and products with high caffeine content’;

b) in paragraph (4), the words ‘products other than tobacco products’ shall be deleted and the words ‘and nitrous oxide (laughing gas)’ shall be replaced by ‘nitrous oxide (laughing gas) and products with high caffeine content’.

2. In § 1 of the additional provision:

a) point (21) is repealed;

b) the following point (25) is inserted:

‘25. ‘Products with a high caffeine content’ means products with a stimulating effect which contain:

a) caffeine above 150 mg/l;

b) an original combination of ingredients such as caffeine, taurine, vitamins and other substances with a nutritional or physiological effect, including glucuronolactone, inositol, carnitine, creatine, plant extracts (guarana, mate, acacia, ginseng, ginkgo biloba) and others.’

**§ 19.** In the Food Act (promulgated, SG, No 52 of 2020; amended, No 65 of 2020, No 13 of 2021, No 102 of 2022, No 80, 100 and 102 of 2023 and No 41 and 85 of 2024) in § 1, point (4) of the additional provision, a letter ‘j’ is inserted:

‘(j) products with a high caffeine content within the meaning of §1, point (25) of the additional provision of the Child Protection Act.’

**§ 20.** Within one month of the entry into force of this Act, business operators shall submit a notification to the competent authority about a change in registered circumstances under Article 26(2)(5) of the Food Act.

**§ 21.** In the Act amending and supplementing the Tobacco, Tobacco and Related Products Act State Gazette, No 54 of 2025) paragraph (1), points (1)-(3), § 2, (4), (6)-(9), § 10, point (1), letters ‘a’ and ‘b’, points (2) and (3), § 12, § 13, point (1), point (2), letters ‘a’ and ‘d’, point (3), letters ‘a’ and ‘c’, points (5) and (6), § 14, (16), (19), § 24, points (1) and (4)-(7), § 25, first sentence, § 26 and 27, § (29)-(31) are repealed.

**§ 22.** The Act shall enter into force on the day of its promulgation in the State Gazette, with the exception of § 10, point (3), letter ‘b’ (§ 43h, paragraph (3), point (6)), which shall enter into force 12 months after the promulgation of the Act in the State Gazette.