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| KINGDOM OF BELGIUM |
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| FEDERAL PUBLIC SERVICE FOR HEALTH, FOOD CHAIN SAFETY AND ENVIRONMENT |
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| Royal Decree amending the Royal Decree of 28 October 2016 on the manufacture and placing on the market of electronic cigarettes |
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| PHILIPPE, King of the Belgians, |
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| To all those present and to come, Greetings. |
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| Having regard to the Law of 24 January 1977 on the protection of consumer health with regard to foodstuffs and other products, Article 6(1)(a), amended by the Law of 22 March 1989, Article 10(1), replaced by the Law of 9 February 1994; |
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| Having regard to the Royal Decree of 28 October 2016 on the manufacture and placing on the market of electronic cigarettes last amended by the Royal Decree of 7 November 2022; |
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| Having regard to the Communication to the European Commission, sent on XXX, pursuant to Article 5(1) of 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; |
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| Having regard to the Opinion of the Inspector of Finance, issued on XX; |
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| Having regard to Opinion XXX of the Council of State, issued on XXX, pursuant to Article 84(1)(1)(2) of the Laws on the Council of State, coordinated on 12 January 1973; |
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| On the proposal of the Minister of Health, |
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| WE HAVE DECREED AND DECREE HEREWITH: |
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| Article 1. In Article 4 of the Royal Decree of 28 October 2016 on the manufacture and placing on the market of electronic cigarettes, replaced by the Royal Decree of 7 November 2022, the following amendments are made: |
| 1. In paragraph 4(1), the words 'liquid containing nicotine' are replaced by the words 'liquid, with or without nicotine,'; |
| 2. In paragraph 5, the words 'liquid containing nicotine' are replaced each time by the words 'liquid, with or without nicotine,'. |
| Article 2. In Article 5 of the same Decree, replaced by the Royal Decree of 7 November 2022, the following amendments are made: |
| 1. In paragraph 6, the words 'with the exception of disposable electronic cigarettes without nicotine' are inserted between the words 'electronic cigarettes' and the words 'and refill containers'; |

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| <p>2. The provision under 6/1 is inserted as follows:</p> <p>'§ 6/1. Packaging units and any outer packaging of disposable electronic cigarettes without nicotine shall display the following health warning:</p> <p>'This product harms your health. Its use is not recommended for non-smokers.</p> <p>Ce produit nuit à votre santé. Son utilisation par les non-fumeurs n'est pas recommandée.</p> <p>Dieses produkt schädigt Ihre Gesundheit . Es wird nicht für den Gebrauch durch Nichtraucher empfohlen ".“;</p> |
| <p>3. Paragraph 9 is supplemented by the provision under point 8, which reads:</p> <p>'8. Information on how to quit smoking.'</p> |
| <p>4. In paragraph 15, the figure '13' is replaced by the figure '12'.</p> |
| <p>Article 3. In Article 6/1(3) of the same Decree, added by the Royal Decree of 7 November 2022, the word 'Ire>' is replaced by the word 'Ihre'.</p> |
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| <p>Article 4. This Decree shall enter into force on XX.</p> |
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| <p>Article 5. The Minister of Health is responsible for the implementation of this Decree.</p> |