

Decree on Measures to Reduce Tobacco Smoking

Issued in Helsinki on 25 February 1977

CHAPTER I General provisions

Section 1 (10.2.1995/174)

For the purposes of application of the Act on Measures to Reduce Tobacco Smoking (693/76), hereinafter the Tobacco Act, and of rules and regulations issued under it:

- 1) *cigarette* refers to a tobacco roll intended for smoking which is prewrapped in paper or set in or intended for setting in a shell made from some other material, and which cannot be considered a cigar or a cigarillo;
- 2) *cigarette tobacco* refers to finely cut or otherwise finely ground tobacco which is intended for use in self-rolled cigarettes;
- 3) *cigar and cigarillo* refer to a tobacco roll which is intended for smoking and made from natural tobacco, and whose outer wrapper or binding leaf is made from tobacco leaf or from tobacco-coloured reconstructed tobacco;
- 4) *pipe tobacco* refers to tobacco which has been cut, divided, stripped or pressed into slabs and can be smoked without further industrial processing and which is suitable for smoking in a pipe;
- 5) *chewing tobacco* refers to a chewable tobacco product predivided, prepressed or otherwise preformed for said purpose;
- 6) *snuff* refers to a cut or ground tobacco product in the form of powder or granules intended for inhaling through the nose;
- 7) *other tobacco product* refers to commercially sold products which are completely or partially made from tobacco and intended for smoking, inhaling through the nose, sucking or chewing, which are not cigarettes or cigarette tobacco;
- 8) *smoke-free area* refers to an indoor area or a part thereof in which smoking is prohibited;
- 9) *common area at a workplace* refers to resting, eating, hygiene or other personnel areas in a workplace assigned for employees or in common use, to hallways, lobbies or staircases in common use, and to other areas assigned for the common use of employees;
- 10) *public area at a workplace* refers to the indoor areas of workplaces to which the public have unrestricted access;

11) *workplace area intended for clients* refers to areas at a workplace reserved for clients or assigned to their use;

12) *means of public transport* refers to all means of road, rail, water and air transport of people;

13) *public event* refers to a gathering of people at events to which the provisions of the Act on Public Meetings (530/1999) apply. (9.12.1999/1152)

CHAPTER 2

Composition

Section 2

The following may be used in tobacco products and in their manufacture:

- 1) tobacco;
- 2) tobacco substitutes originating from other plants not dangerous or harmful to health;
- 3) sugars, honey and cocoa;
- 4) tobacco leaves for wrapping, ground tobacco and paper or man-made films manufactured from other plant fibres; and
- 5) spices and odorants, other additives and glues and colours which are not dangerous or harmful to health.

Section 3

The method of manufacture, quality and composition of smoking accessories must be such that their use in smoking or preparations for smoking does not cause danger or injury to health.

Section 4

In addition, what the Government orders under section 5 must be observed concerning the composition of tobacco products and smoking accessories.

CHAPTER 3

Sale

Sections 5 and 6 have been repealed by Decree 22.8.2002/725

Section 7 has been repealed by Decree 9.12.1999/1152.

Section 8 (10.2.1995/174)

In addition to the information referred to in section 8, paragraph 3, of the Tobacco Act, information on dangers and injuries to health caused by a product, on its country of origin and on its retail package may be given to persons engaged in sale of the product as the product information referred to in the said paragraph. A picture of a product or its retail

package may be given as product information only in connection with other product information. No other pictures may be included with product information.

The contents of product information must be such that persons engaged in sale of the product receive comprehensive and correct information about the product and its properties. (9.12.1999/1152)

Section 9 has been repealed by Decree 23.12.1992/1502.

Section 10 has been repealed by Decree 22.8.2002/725

Section 11 (10.2.1995/174)

The following notice must be visibly placed at retail sales outlets for tobacco products and smoking accessories and on automatic tobacco product vending machines:

"Tobacco may not be sold to persons under the age of 18. Tobacco is addictive and damages the health!"

Section 12 has been repealed by Decree 22.8.2002/725

CHAPTER 4 Smoking prohibitions and restrictions

Section 13 has been repealed by Decree 10.2.1995/174.

Section 14

Prohibitions and restrictions on smoking, notices indicating smoking areas and other notices must be easy to understand and their size and placement must be such that they are visible to persons entering the premises or to those on them.

CHAPTER 5 Research, follow-up and information and education

Section 15 (28.8.1992/831)

In organising information and education and in producing health education programmes and other material aimed at reducing smoking, the Ministry of Social Affairs and Health shall use specifically the expertise and services of the Ministry of Education, central organisations of local authorities, and the relevant non-governmental organisations.

Section 16

For each calendar year, the Ministry of Social Affairs and Health shall prepare a proposal for the disposal plan referred to in section 27, paragraph 2, of the Tobacco Act. The authorities and organisations referred to in section 15 shall be utilised in preparing the proposal. (28.8.1992/831)

The disposal plan must be submitted for ratification by the Ministry of Social Affairs and Health at a time determined by the Ministry.

Section 17

The disposal plan shall contain:

- 1) a report on changes in the volume and structure of smoking, and an estimate of the effect various measures have had on them;
- 2) a report on how activities financed under the Tobacco Act are linked with general health care and social services, health education and information organised by education and temperance authorities, and their financing;
- 3) proposals for programmes concerning organisation of work to prevent smoking and the research, follow-up and information and education referred to in the Tobacco Act;
- 4) reports on the aims for implementing the programmes, on implementation timetables and on the responsible parties;
- 5) detailed reports on the costs incurred from realising the programmes during the year in question;
- 6) reports or estimates on the costs of realising programmes which will continue beyond the year in question;
- 7) other reports as required by the Ministry of Social Affairs and Health.

Section 18

Insofar as realisation of the disposal plan requires services to be purchased from private persons, private-law corporations or private-law foundations, or from a business or other enterprise run by such a person, corporation or foundation, reports on costs must be based on acquired tenders, observing what is otherwise provided in the Decree on State Procurements (1416/1993) or in virtue of the Act on Public Procurements (1505/1992), as appropriate. (22.8.2002/725)

The disposal plan must be ratified before a binding contract or order on purchasing a service referred to in paragraph 1 above may be made.

Section 19 (10.2.1995/174)

The organ appointed by the local authority is responsible for guiding and co-ordinating the education and information activity intended to reduce smoking, and for preparation and decision-making regarding other duties resting with local authorities under the Tobacco Act.

CHAPTER 6 **Transferral of duties**

Section 20 has been repealed by Decree 28.8.1992/831.

CHAPTER 7 **Miscellaneous provisions**

Section 21

Without the consent of the party in question, no authority referred to in this Decree is entitled to make public any detail concerning the manufacturing technology of a tobacco product or smoking accessory which must be considered a business secret.

Section 22 has been repealed by Decree 10.2.1995/174.

Section 23 (28.8.1992/831)

More detailed regulations on the implementation of this Decree will be issued as necessary by the Ministry of Social Affairs and Health.

Section 24

This Decree enters into force on 1 March 1977, unless otherwise provided by the implementation provisions of the Tobacco Act.

If a manufacturer or importer intends to assign a tobacco product or smoking accessory retailed on 1 March 1977 for consumption after 1 March 1978, it must apply to the National Board of Health for an inspection certificate no later than on 1 August 1997.