



Resolution Prohibits Electronic Tobacco Products in Venezuela

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In *Official Gazette* No. 42,682, of Aug. 1, 2023, Resolution No. 414 was published on June 28, 2023, by the Ministry of Popular Power for Health, which prohibits the manufacture, storage, distribution, circulation, commercialization, import, export, use, consumption, publicity, promotion and sponsorship of Electronic Nicotine Administration Systems (SEAN), Similar Electronic Nicotine-Free Systems (SSSN), consumables, tanks or cartridges, refill consumable containers and other accessories, products of conventional heated tobacco (conventional and herbal PTC) and similar products, in order to establish mechanisms to protect people's health.

Below are the highlights of the Resolution:

- 1. Scope of Application:** It is applicable to all natural or legal persons who carry out activities related to the purpose of this Resolution in the national territory.
- 2. Prohibitions:** It is prohibited:
 - to allow and/or grant records, import permits, export permits, transit and special customs regimes throughout the national territory by the Ministry of Popular Power for Health, as governing body, as well as all its entities and/or bodies, centralized and decentralized attached
 - all types of advertising, promotion and sponsorship or any form of dissemination that in any way encourages the acquisition of SEAN, SSSN, consumables, tanks or cartridges, refill consumable containers and other accessories, conventional PTC and herbals, and similar products
 - all types of advertising, promotion and sponsorship that encourage the use and human consumption of its compounds or liquid substances
 - any transaction related to the objects of this Resolution through the internet or other modes of sale through telecommunication systems or any other technology
 - manufacturing, storage, distribution, circulation, marketing, import, export, use, consumption, advertising, promotion and sponsorship, retail and wholesale consumption of the products covered by this Resolution; remotely or similar procedures, such as telephone, digital, electronic and other similar means
 - the free delivery, supply or distribution of the products covered by this Resolution



- 3. Poster:** All state institutions, as well as the owners, employees and administrators of commercial establishments, premises, institutions, private and/or public areas, whatever their use, including public transportation, must permanently present a PUBLIC ANNOUNCEMENT whose dimensions are equal to or greater than 80 centimeters (width) by 50 centimeters (length). It must have the following text:

"IT IS PROHIBITED TO DISPOSE OR FACILITATE IN ANY WAY TO THE GENERAL PUBLIC, ELECTRONIC NICOTINE DELIVERY SYSTEMS (SEAN), SIMILAR ELECTRONIC SYSTEMS WITHOUT NICOTINE (SSSN), CONSUMABLES, TANKS OR CARTRIDGES, CONTAINERS OF REFILL CONSUMABLES AND OTHER ACCESSORIES, PRODUCTS OF CONVENTIONAL HEATED TOBACCO (CONVENTIONAL AND HERBAL PTC), AND SIMILAR PRODUCTS. WHOEVER SELLS, SUPPLY OR DELIVERY PRODUCTS THAT MAY CAUSE PHYSICAL OR CHEMICAL DEPENDENCE, WILL BE SANCTIONED AND PUNISHED IN ACCORDANCE WITH THE CURRENT LEGISLATION, RESOLUTIONS AND REGULATIONS OF THE BOLIVARIAN REPUBLIC OF VENEZUELA."

- 4. Non-compliance:** Any natural or legal person who contravenes or infringes the prohibition object of this Resolution, will be subject to the sanctions provided and sanctioned in the current legal system, whose penalties, within the scope of its competence, will be imposed by the Ministry of Popular Power for Health, as governing body and planner of the National Public Administration, especially in sanitary control policy.
- 5. Repeal:** Resolution No. 362 of May 31, 2023, published in the *Official Gazette* of the Bolivarian Republic of Venezuela No. 42,641 dated June 1, 2023, and all provisions that contravene this Resolution are repealed.
- 6. Validity:** This Resolution will enter into force as of its publication in the *Official Gazette*, that is, as of Aug. 1, 2023.

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