

No.: 129754
Date: Jul. 3, 2008

Bylaw:
**Determination of the Authorized Agents for the
Distribution and Sales of Tobacco Products
(Article 7 of the Comprehensive Act on
National Control and Campaign against Tobacco)**

National Tobacco Control Headquarters
No. 2

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Distribution and Sales of Tobacco Products
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Introduction

Based on article 7 of the comprehensive act on national control and campaign against tobacco approved by the Islamic Consultative Assembly on Sept. 2006, the bylaw of Determining the authorized agents for the distribution and sales of tobacco products is determined as follows.

Chapter One – Definitions

Article 1. Authorized Agent for the distribution and sales of tobacco products: Any real or legal person who takes action in purchasing and selling authorized tobacco products.

Article 2. Sales License: A permit which is issued by the concerned trade unions for those retail guilds which have work permit and unions Mellat card and are authorized to supply or sell tobacco products on the basis of this bylaw.

Article 3. Distributorship permit: A permit which is issued by the Iran Tobacco Company for trading tobacco products for those trade wholesalers who have work permit and unions Mellat card.

Article 4. Tobacco products: Any material or product entirely or partly made of tobacco plant or its derivatives.

Article 5. Retailer agent: Any trade individual holding sales permit that provides the tobacco products from Wholesale units and supplies them to the end user.

Article 6. Wholesaler agent: Any trade individual who provides the tobacco products from the primary origins and supplies them to the authorized units and has a distributorship permit from Tobacco Company.

Note 1. Wholesale trade units are not authorized to supply their tobacco products to the end user.

Note 2. All tobacco products distributors and distribution companies are considered as wholesalers.

Chapter 2 – Wholesaler Agents

Article 7. Those wholesaler agents of tobacco products who have cooperation with the tobacco company at present and hold distributorship permit from the aforesaid company but don't have any work permit are obliged to take action in receiving work permit and trades Mellat card from one of the

wholesale dealers unions of foodstuffs, food supply sellers, wholesale grocers and supermarkets and submit it to the tobacco company within 4 months from the date of notification of this bylaw, otherwise the tobacco company is obliged to cancel their distributorships.

Note: Iran Tobacco Company is obliged to declare the list of wholesaler agents to the users and manufacturers protection organization as well as NAJA supervisor police on public places.

Article 8. Tobacco products wholesaler agents are not authorized to supply those tobacco products with no serial Number, special label and insertion of the special phrase of **For Sales inside the Islamic Republic of Iran** (on all the imported packages). In addition to article 11 of the comprehensive law of national control and campaign against smoking, the offenders will be treated according to the rules and regulations of trading system.

Chapter 3 – Retailer Agents

Article 9. The authorized distribution and sales units of tobacco products are merely authorized to supply those tobacco products that they have provided from the authorized origins. In case of any offending by the aforesaid agents, they will be treated according the rules and regulations of trading system.

Article 10. The authorized retailer trading units in each city include the guilds of foodstuffs, supermarkets and wholesale grocers.

Article 11. Trade unions are obliged to declare the list of authorized retailer agents to the concerned business departments and inspecting and supervising units of the unions.

Note: Trade unions are not authorized to issue any sales permit of tobacco products for those trade unions which are closer than 100 meters to the educational and sports centers as well as shrines.

Article 12. Tobacco products must be sold or supplied inside the packages such as packets, cartons, cans and covers together with serial number and special label of Iran Tobacco Company. The insertion of the phrase **For Sales inside the Islamic Republic of Iran** on the whole packages of tobacco products is obligatory.

Note: Sales of tobacco products in the form of bulk or single is forbidden.

Article 13. Based on article 11 of the executive bylaw of comprehensive act on national control and campaign against tobacco, the authorized agents of tobacco products are obliged to avoid selling any tobacco products to the individuals below 18 years of age or their intermediaries. In case of any suspicion about the age of the purchaser, submission of an identification document by the seller indicating the age of at least 18 years is obligatory.

Article 14. The authorized distribution network of tobacco products merely consists of those wholesaler and retailer agents defined in this bylaw and any distribution other than this network is considered a violation and the offender will be treated according to the rules and regulations of trade union.

Article 15. Sale of tobacco products through internet and automatic sales machines is forbidden.

Article 16. Sales and supply of tobacco products by the authorized agents must not be done in the manner to be an indication of any advertisement of tobacco products for the public.

Note: Suppliers and sellers of smoking tools including hookah are not authorized to expose the aforesaid items in the public.

Article 17. Inspectors of business organizations of the provinces, trade organizations, supervisors of the supervision commissions, officers of Law Enforcement Force, Tobacco Company and Ministry of Health will take measure in inspecting the wholesale and retail trade unions and in case the aforesaid units commit any violation, the above-mentioned organizations will declare the violation cases to the boards dealing with the vocational violations and infringements subject of article 72 of trade union system act. Wholesale and retail trade units are obliged to submit the sales agency card of tobacco materials to the inspectors, supervisors and officers of the aforesaid systems.

Article 18. Law Enforcement Force of the Islamic Republic of Iran is obliged to perform the necessary cooperation with the officers and inspectors of Ministry of Health, Cure and Medical Education, Ministry of Finance, Tobacco Co. and trade unions and vocational assemblies in all the executive stages of inspection operation of public places and tobacco materials supply places.

Article 19. In execution of the comprehensive act on national control and campaign against tobacco and the concerned bylaws as well as this bylaw, health officers and other concerned officers are obliged to send their reports to the concerned authorities based on the concerned cases.

Article 20. This bylaw was prepared in 20 articles and 7 notes and based on the 7 comprehensive acts on national control and campaign against tobacco and was approved in the session of State Headquarters for National Control and Campaign against Tobacco dated Apr. 16, 2008.