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STATUTORY INSTRUMENTS

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**1992 No. 3134**

**CONSUMER PROTECTION**

**The Tobacco for Oral Use (Safety) Regulations 1992**

*Made* - - - - *10th December 1992*  
*Laid before Parliament* *11th December 1992*  
*Coming into force* - - *1st January 1993*

In exercise of the powers conferred by section 11 of the Consumer Protection Act 1987<sup>(1)</sup>, for the purpose of securing that goods which are unsafe are not made available to persons generally, and after consultation, in accordance with section 11(5) of that Act, with organisations appearing to be representative of interests substantially affected by these Regulations and other persons considered appropriate, and of all other powers enabling me in that behalf, I hereby make the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Tobacco for Oral Use (Safety) Regulations 1992 and shall come into force on 1st January 1993.

(2) In these Regulations “tobacco for oral use” means any product made wholly or partly of tobacco which is—

- (a) intended for oral use, unless it is intended to be smoked or chewed; and
- (b) is either—
  - (i) in powder or particulate form or any combination of these forms, whether presented in sachet portions or porous sachets or in any other way, or
  - (ii) presented in a form resembling a food product.

**Prohibition of supply of tobacco for oral use**

2. No person shall supply, offer to supply, agree to supply, expose for supply or possess for supply any tobacco for oral use.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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10th December 1992

*Virginia Bottomley*  
One of Her Majesty's Principal Secretaries of  
State

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement Council Directive [92/41/EEC](#) amending Directive [89/622/EEC](#). They prohibit the supply of tobacco for oral use (as defined in regulation 1(2)), including offering or agreeing to supply it and exposing or possessing it for supply.

Earlier Regulations-the Oral Snuff (Safety) Regulations 1989 (S.I. [1989/2347](#))-which prohibited the supply of oral snuff were quashed by a decision of the High Court (R -vSecretary of State for Health, Ex parte United States Tobacco International Inc. [1991] 3 WLR 529).