

KINGDOM OF BELGIUM

FEDERAL PUBLIC SERVICE (FPS) PUBLIC HEALTH, FOOD CHAIN SAFETY AND ENVIRONMENT

Royal Decree amending the Royal Decree of 28 October 2016 on the manufacture and marketing of electronic cigarettes

PHILIPPE, King of the Belgians,

To all those present and to come,
Greetings.

Having regard to the Law of 24 January 1977 on the protection of consumer health with respect to foodstuffs and other products, Article 6(1)(a), amended by the Law of 22 March 1989;

Having regard to the Royal Decree of 28 October 2016 on the manufacture and marketing of electronic cigarettes;

Having regard to the communication to the European Commission, dated XX, pursuant to Article 5(1) of Directive 2015/1535/EU 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;

Having regard to the opinion of the Inspector of Finances, issued on 15 December 2025;

Having regard to the agreement of the Budget Minister, issued on 29 January 2026;

Having regard to Opinion XXX of the Council of State, issued on XXX pursuant to Article 84(1), subparagraph 1(2), of the Laws on the Council of State, consolidated on 12 January 1973;

On the proposal of the Minister for Public Health,

WE HAVE DECREED AND HEREBY DECREE:

Article 1. Article 4 of the Royal Decree of 28 October 2016 on the manufacture and marketing of electronic cigarettes is supplemented by a paragraph (10) worded as follows:

‘(10). It is prohibited to place technical components on the market that are designed to alter the smell, flavour or colour of the vapour emitted by e-cigarettes, refill bottles and nicotine-free refill bottles.’.

Article 2. The following amendments are made to Article 5 of the same Decree:

1. paragraph (13) is replaced by the following:

‘(13). The unit packets, the outer packaging and the leaflets of the refill containers shall not bear any indication of additives determining the flavouring other than those determined by the Minister.

The only permitted word to indicate the flavour on unit packets and outer packaging shall be the word 'tobacco', in Helvetica font, in bold, normal or regular letters, in black or white and in a font size of no more than 10.' ;

2. in paragraph (17), the words 'with the exception of paragraph (13)' are repealed.

Article 3. This decree shall enter into force on 1 September 2028.

Refill containers that do not comply with this decree must not be on the market after that date.

Article 4. The Minister for Public Health shall be responsible for the implementation of this decree.