

# **Regulations for the Application of the Tobacco and Tobacco Products Act**

Adopted by Council of Ministers Decree No. 39/21.02.1994, Promulgated State Gazette No. 18/1.03.1994, amended SG No. 99/2.12.1994, effective 2.12.1994; amended and supplemented, SG No. 86/11.10.1996, effective 3.10.1996; amended SG No. 18/28.02.1997, effective 28.02.1997, SG No. 100/31.10.1997, effective 8.08.1997; SG No. 60/2.07.1999, effective 3.07.1999; SG No. 114/30.12.1999, effective 1.01.2000, amended and supplemented SG No. 62/13.07.2001; SG No. 78/11.09.2001, effective 11.09.2001, amended, SG No. 96/9.11.2001, effective 9.11.2001; SG No. 3/10.01.2003, effective 10.01.2003; SG No. 69/6.08.2004, effective 1.01.2005, amended and supplemented SG No. 71/13.08.2004, effective 1.09.2004, amended, SG No. 78/30.09.2005, effective 1.10.2005, SG No. 100/13.12.2005, effective 1.01.2006, SG No. 83/13.10.2006, effective 13.10.2006, amended and supplemented, SG No. 26/7.03.2008, effective 7.03.2008 amended, SG No. 39/26.05.2009, effective 26.05.2009, SG No. 93/24.11.2009, effective 24.11.2009, SG No. 47/22.06.2012

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## **Chapter One**

### **GENERAL PROVISIONS**

#### **Article 1**

(Amended, SG No. 62/2001)

(1) The policy of the State in the sector of tobacco and tobacco products is implemented by means of a national strategy for development of tobacco production.

(2) The national strategy for development of tobacco production is elaborated on the basis of:

1. national goals and interests, relevant to the production, buying out and sale of tobacco and tobacco products;

2. regional strategies for development of tobacco production, prepared by the regional governors.

(3) The national strategy is prepared by the expert board on development of tobacco production and is submitted for discussion and adoption by the Management Board (hereinafter referred to as the MB) of the Tobacco Fund.

(4) The Minister of Agriculture and Food Supplies submits to the Council of Ministers a proposal to endorse the national strategy for development of tobacco production.

(5) The national strategy for development of tobacco production is prepared for a term of 3 years.

#### **Article 2**

(Amended, SG No. 62/2001)

(1) "Tobacco growers" are natural and legal persons, entered into the municipal register under Article 6, Paragraph 1 of the Tobacco and Tobacco Products Act (hereinafter referred to as the TTPA) and having obtained a quota for growing tobacco.

(2) (Supplemented, SG No. 26/2008) The persons under Paragraph 1 submit an application to the mayor of the municipality regarding areas and quantities of tobacco, broken down by types, origins

and varieties, in accordance with the division by regions under Article 5, Paragraph 3 of the TTPA, where natural persons indicate their full names and legal entities - their certificate of registration in the BULSTAT Register or in the commercial register.

(3) (Supplemented, SG No. 26/2008) The persons under Paragraph 1 are entered into the municipal register of tobacco growers by an official, designated by an order of the mayor. This register is kept for natural persons by their full names and for legal entities - by Uniform Identification Code (UIC) in BULSTAT or by UIC, determined by the Registry Agency.

### **Article 3**

(Repealed, SG No. 62/2001).

## **Chapter Two**

## **GROWING TOBACCO**

### **Article 4**

(1) Tobacco growers produce themselves or buy from other producers the seedlings, and for this purpose they use only the seeds of the type, origin and variety, provided by the municipalities.

(2) (Amended, SG No. 62/2001) Each tobacco grower is obliged to destroy the seedlings which have not been used by the 30th of June of the relevant production year.

(3) Control over the implementation of Paragraph 2 is carried out by the municipalities.

### **Article 5**

(1) (Amended, SG No. 62/2001) Planting tobacco together with other agricultural crops is prohibited.

(2) Harvest of secondary leaves (sprouts) is prohibited.

(3) Picking secondary leaves (sprouts) is allowed in case of a hailstorm only and upon an assessment and preliminary permit by the municipality.

(4) Each tobacco grower shall be obliged to uproot the tobacco stems within thirty days after finishing the tobacco harvest, except for the tobacco stems on strongly sloping terrains.

### **Article 6**

(Amended, SG No. 62/2001)

(1) Before 10 December of each year, on the basis of the data under Article 5, Paragraphs 5 and 7 of the TTPA, the expert board on development of tobacco production submits to the MB of the Tobacco Fund a proposal for growing tobacco in the course of the following year regarding the quantities, regions, types, origins and varieties.

(2) Before 10 January of each year, the MB of the Tobacco Fund submits to the Minister of Agriculture and Food Supplies a proposal for growing tobacco in the course of the current year regarding the quantities, regions, types, origins and varieties.

(3) The proposal under Paragraph 2, broken down by tobacco growing regions, is prepared in conformity with the division of varieties by regions and settlements and is endorsed by the Minister of Agriculture and Food Supplies.

(4) Only those varieties may be included in the varietal structure of tobacco production, which have been included in list "A" of the Official Variety List of the Republic of Bulgaria.

(5) Allocations of quotas for growing tobacco, in excess of those requested by the buyers under Article 5, Paragraph 5 of the TTPA, are not being made.

(6) In cases when the quantities, requested by the buyers exceed those offered by the mayors of the municipalities under Article 5, Paragraph 5 of the TTPA, allocation is made up to the quantities, offered by the mayor.

## **Article 7**

(Amended, SG No. 62/2001)

(1) The allocation to municipalities of the quantities, regions, types, origins and varieties, determined under Article 5, Paragraph 1 of the TTPA, is made by the Tobacco Fund using the following criteria:

1. fulfillment of the quantities regarding types, origins and varieties by the municipalities during the preceding three crops;
2. the average annual production in the municipality, achieved during the preceding three crops;
3. any change of the overall quantity by origins and types of tobacco, compared to the quantity from the preceding crop;
4. the quantity of bought out tobacco in comparison to the contracted quantity from the preceding three crops.

(2) The allocation under Paragraph 1 is endorsed by the Minister of Agriculture and Food Supplies.

(3) Within seven days of the promulgation of the order under Paragraph 2, the Tobacco Fund notifies the municipalities and the buyers of tobacco of the allocation to municipalities of the quantities, types, origins and varieties.

## **Article 8**

(Amended, SG No. 62/2001)

(1) The Minister of Agriculture and Food Supplies may allocate additional quantities by types, origins and varieties, on the basis of a proposal by the buyers of tobacco and in coordination with the municipalities.

(2) The buyers of tobacco in coordination with the municipalities submit a proposal to the Tobacco Fund for allocation of additional quantities of tobacco by types, origins and varieties before 10 February.

## **Article 9**

(Amended, SG No. 62/2001)

(1) The quantities for each municipality, determined by an order of the Minister of Agriculture and Food Supplies, are distributed on the basis of an order of the mayor of the municipality among the persons, having submitted a request under Article 2, Paragraph 2, the quota of each of them being entered into the register of tobacco growers.

(2) In case any tobacco growers give up their quotas, the balance is offered to tobacco growers, registered before 15 February.

(3) Before 5 August each year, the mayor enters into the register of tobacco growers the areas actually planted and the expected quantity of tobacco from each tobacco grower. The quantities are determined on the basis of an approximate count of the number of plants per decare.

(4) Before 15 May of each year the Tobacco Fund prepares a report of the filling-up of the quota of the preceding crop.

## **Article 10**

(Amended, SG No. 62/2001)

(1) Before 20 February the mayor of the municipality issues to each tobacco grower a certificate of registration in two original copies - of yellow and blue color, which contain the production quota, allocated to him. The number of the certificate of registration corresponds to the number of registration of the tobacco grower. The certificate is issued in a standard form in accordance with Annex No. 1

(2) The blue copy of the certificate is handed over to the buyer at the point of conclusion of the contract for production and buying out of tobacco and is an integral part of the contract.

(3) The yellow copy of the certificate remains with the tobacco grower.

(4) The certificate of registration is printed and provided annually to the municipalities by the Tobacco Fund.

## **Article 11**

(Amended, SG No. 62/2001)

(1) The quota for production of tobacco may be transferred only among spouses and relatives of direct line of descent by a written notice to the mayor of the municipality, signed by the holder of the quota and the person willing to receive it.

(2) The notice under Paragraph. 1 is submitted before 20 February.

(3) Within a term of seven days after the date of submission of the notice, the mayor of the municipality issues a supplementary order, reflecting the changes in the register of tobacco growers and informs the Tobacco Fund thereof in written form before 1 March.

(4) Quotas, in relation of which contracts for production and buying out of tobacco have already been concluded, may not be transferred.

## **Article 12**

(Amended, SG No. 62/2001)

(1) The production of tobacco seed takes place under the terms and conditions of Article 7, Paragraph 3 and Article 8 of the TTPA.

(2) The basis for producing the required seed by origins and varieties is the quota for the preceding crop plus a two years' reserve.

(3) The natural and legal persons under Article 7, Paragraph 3 of the TTPA conclude with the Tobacco Fund contracts for maintenance of sorts and for producing tobacco seed.

(4) The prices, at which the Tobacco Fund pays for the seed, are determined on the basis of the expenses in accordance with the technological charts, included in technological instructions for

producing the seed.

(5) Before 15 February of the production year the Tobacco Fund allocates and arranges for the delivery of tobacco seed to municipalities.

(6) Use of other seed except those delivered by the Tobacco Fund and distributed by the municipalities may not be authorized.

## **Chapter Three**

### **CATEGORIZING OF TOBACCO UPON BUYING OUT**

#### **Article 13**

(Amended, SG No. 62/2001)

(1) The minimum quality requirements, specified in Annex No. 2, are mandatory for the tobacco growers in the course of producer handling of raw tobacco and for the persons under Article 21, Paragraph 1 of the TTPA in the course of categorizing and buying out of tobacco from tobacco growers.

(2) The category classification of the raw tobacco is carried out in three classes in accordance with Section II "Category Classification" of Annex no. 2.

(3) The humidity content of tobacco, determined in the course of categorizing and in excess of the specification of Annex No. 3, is not paid for.

(4) The ground particles (sand and soil), stuck to tobacco leaves, are not paid for and are discounted on the basis of their actual mass.

(5) The determination of the humidity content takes place in accordance with Annex no. 4, and of sand - in accordance with Annex no. 5.

(6) Tobacco falling under Section I "Category Restrictions" of Annex no. 2 may not be categorized and paid for.

(7) Producer packagings are not categorized in the following cases:

1. when packed with materials of artificial nature;

2. if containing

a) leaves falling under Section I of Annex No. 2, when these exceed 5% of the total quantity;

b) alien non-tobacco admixtures;

c) (Repealed, SG No. 3/2003);

d) (Repealed, SG No. 3/2003);

8) Producer packagings under Paragraph 7 are categorized after their re-working by the producers.

#### **Article 14**

(Amended, SG No. 62/2001)

Dried tobacco is categorized while in producer packagings.

## **Chapter Four**

### **BUYING OUT THE TOBACCO**

#### **Article 15**

(Repealed, SG No. 62/2001).

#### **Article 16**

(1) (Amended, SG No. 62/2001) Tobacco which is dried, subjected to operations and packed by the growers in accordance with the minimum quality requirements under annex No. 2, is bought out by individual types and origins.

(2) (Repealed, SG No. 62/2001).

#### **Article 17**

(Amended, SG No. 62/2001)

(1) Within 7 days of the expiration of the term under Article 11, Paragraph 8 of the TTPA, the municipalities notify the Tobacco Fund as regards quantities of tobacco by types and origins and by tobacco growers, which have been produced under contracts but have not been bought out.

(2) The management Board of the Tobacco Fund organizes the buying out of the quantities of tobacco, which have been produced under contracts but have not been bought out by 1 March under the terms of the Public Procurement Act.

## **Chapter Five**

### **PURCHASE PRICES**

#### **Article 18**

(1) (Amended, SG No. 62/2001) Before 30 November of each year the tobacco research institutions submit to the Tobacco Fund a study on the expenses of production for a kilogram of raw tobacco in the current production year and a proposal regarding the expenses of production for a kilogram of raw tobacco for the following production year.

(2) (Amended, SG No. 62/2001) The study and the proposal under Paragraph 1 are made by individual types and origins, on the basis of technological charts and calculations, determined according to the methodology for minimum purchase prices of tobacco.

(3) (Amended, SG No. 62/2001) Within the term under Paragraph 1, the persons under Article 21, Paragraph 1 of the TTPA may submit to the Tobacco Fund justified proposals regarding the minimum purchase prices of a kilogram of raw tobacco by individual types, origins and classes.

(4) (Repealed, SG No. 62/2001).

(5) (Repealed, SG No. 62/2001).

(6) (Repealed, SG No. 62/2001).

## **Chapter Six**

### **BONUSES FOR TOBACCO GROWERS**

(Amended, SG No. 62/2001)

## **Article 19**

(1) A bonus under Article 18a, Paragraph 1 and 2 of the TTPA may be offered directly to tobacco growers based on tobacco produced and bought out.

(2) (Amended, SG No. 96/2001) By the end of February of each year the expert board submits a proposal to the MB of the Tobacco Fund regarding the volume, deadlines and the manner of paying the bonus under Article 18a, Paragraph 1 and 2 of the TTPA. The proposals are according to types and origins in BGL, per kg of raw tobacco within the limits of the funds approved in the budget ff the Tobacco Fund is quoted in BGL per kilogram of raw tobacco within the limits of the funds, approved in the budget of the Tobacco Fund.

(3) (Amended, SG No. 96/2001) Before 31 March the Management Board of the Tobacco Fund submits for approval to the Council of Ministers the amount, type and terms of payment of bonuses under Article 18a, Paragraph 1 and 2 of the TTPA for kilogram of raw tobacco.

1. 31 October - for tobacco type Virginia

2. 31 march - for tobacco type Oriental and type Burley

(4) The Management Board of the Tobacco Fund may propose a bonus under Article 18a, Paragraph 2 of the TTPA for tobacco of I-st and II-nd class only.

(5) (Amended, SG No. 96/2001) The bonuses of tobacco growers are paid after completion of the buying out within 60 calendar days following the decision under Paragraph 3.

(6) The determination of the bonuses is made on the basis of the information, submitted by the buyers as regards the quantities bought out by individual origins and classes and by individual tobacco growers.

(7) The bonuses of the tobacco growers are paid in the following manner:

1. The Tobacco Fund pays the bonus directly to the tobacco growers, which are natural persons, by a bank transfer, and in the course thereof it:

a) establishes ex officio and at its own expense for each individual tobacco grower, meeting the requirements under Article 2, Paragraph 1, a bank account in a bank, serving the respective municipality;

b) notifies the tobacco growers of the payment of the bonuses by the public media and through the municipal administrations;

c) closes ex officio the bank account 60 days after its establishment, and the funds therefrom are reimbursed to the Tobacco Fund;

d) the bank accounts of the tobacco growers may be used only for the purpose of payment of the bonus;

2. the payment of the bonus to tobacco growers, which are single-person traders and legal persons, takes place by a bank transfer and on the basis of:

a) (amended, SG No. 26/2008) current certificate of listing in the commercial register;

- b) (repealed, SG No. 26/2008);
- c) (repealed, SG No. 26/2008);
- d) permanent contact address and telephone number;
- e) the bank of service, bank code, BIN and bank account.

## **Article 20**

(1) (Repealed, SG No. 47/2012).

(2) (Amended, SG No. 71/2004, SG No. 47/2012) The costs of the activities of the expert boards under Articles 4 and 18 of the Ordinance on the Terms and Procedure for Issuance and Withdrawal of Permits for Industrial Processing of Tobacco and for Manufacture of Tobacco Products, related to technical expert assessments, carried out by external experts , shall be at the expense of the Tobacco Fund.

(3) (Repealed, SG No. 47/2012).

## **Article 21**

(Repealed, SG No. 62/2001).

## **Article 22**

(Repealed, SG No. 62/2001).

## **Chapter Seven**

### **ISSUE OF PERMITS**

(Amended, SG No. 62/2001)

## **Section I**

**(Repealed, SG No. 71/2004)**

### **Issue of Permits for Industrial Processing of Tobacco and for Manufacturing of Tobacco Products**

(Amended, SG No. 62/2001)

## **Article 23**

(Amended, SG No. 62/2001, repealed, SG No. 71/2004).

## **Article 24**

(Amended, SG No. 62/2001, repealed, SG No. 71/2004).

## **Article 25**

(Amended, SG No. 62/2001, repealed, SG No. 71/2004).



## **Article 26**

(Amended, SG No. 62/2001, repealed, SG No. 71/2004).

## **Article 27**

(Amended, SG No. 62/2001, repealed, SG No. 71/2004).

## **Article 28**

(Amended, SG No. 62/2001, repealed, SG No. 71/2004).

## **Article 29**

(Repealed, SG No. 62/2001).

## **Article 30**

(Repealed, SG No. 62/2001).

## **Section II**

**(Repealed, SG No. 62/2001).**

## **Commission under Article 21, Paragraph 3 of TTPA**

## **Article 31**

(Repealed, SG No. 62/2001).

## **Section III**

**(Amended, SG No. 62/2001)**

## **Issue of Permits for Trade with Tobacco Products**

## **Article 32**

(Amended, SG No. 62/2001)

(1) (Amended, SG No. 26/2008) Trade in tobacco products may be carried out by persons, registered under the Commerce Act or under the legislation of a European Union Member State or of other states - parties to the European Economic Area Agreement and which have obtained a permit from the mayor of the municipality, based on the location of the establishment under Paragraph 2

(2) (Amended, SG No. 26/2008) Trade in tobacco products may be carried out in special establishments - warehouses, specialized stores for trading in tobacco products, stores for sale of food and other products, stores for sale of wines and liquors, petrol stations, pavilions, restaurants, pubs and bars.

(3) The permit under Paragraph 1 is issued for each establishment separately.

(4) The permit under Paragraph 1 is placed in a clearly visible place inside the establishment.

## **Article 32a**

(New, SG No. 62/2001)

(1) The establishments under Article 32, Paragraph 2 must meet the following requirements:

1. post at a place, visible to consumers, inscriptions "Cigarettes" or "Tobacco products" in Bulgarian language.
2. possess differentiated premises or parts thereof, allowing the storage and sale of tobacco products separately or together with products, allowed for joint storage and sale.

(2) Paragraph 1 is not applied to establishments, located in the sections and units of the Ministry of Defence.

### **Article 33**

(Amended, SG No. 62/2001)

(1) Persons, wishing to carry out trade in tobacco products, submit an application to the mayor of the municipality based on the location of the establishment.

(2) The following documents are annexed to the application under Paragraph 1:

1. (amended, SG No. 26/2008) current certificate of listing in the commercial register or document, which under the legislation of a European Union Member State or of other states - parties to the European Economic Area Agreement, certifies the commercial registration of the applicant;
2. copy of the identification sheet in the BULSTAT register;
3. (repealed, SG No. 26/2008);
4. (amended, SG No. 26/2008) certificate of absence of liabilities under Article 87, Paragraph 6 of the Tax and Social Insurance Procedure Code or equivalent document, issued by the competent bodies of a European Union Member State or of a state - party to the European Economic Area Agreement;
5. (amended, SG No. 26/2008) certificate of registration of a fiscal device in accordance with Regulation No. N-18 of 2006 governing sales registration and accounting in commercial establishments using fiscal devices (promulgated SG, No. 106/2006, supplemented in No. 7 and 79/2007);
6. a statement of the location and description of the establishment;
7. copies of the permits for commissioning into regular operation of the commercial establishment, issued by the respective competent bodies;
8. document of payment of the state fee.

(3) (New, SG No. 26/2008) Documents in foreign languages are submitted accompanied by legalized translations into Bulgarian language.

### **Article 34**

(1) (Amended, SG No. 62/2001) The commercial establishments which have obtained a permit for trade in tobacco products, are entered in a special register, maintained in the relevant municipality by an official appointed by an order of the mayor.

(2) (Amended, SG No. 62/2001) The mayor of the municipality grants the permit under Article 32, Paragraph 1 within 30 days after the submission of the application.

(3) (New, SG No. 62/2001) The permit under Article 32, Paragraph 1 is issued open-ended.

### **Article 34a**

(New, SG No. 62/2001)

(1) In case of change of the circumstances under Article 33, Paragraph 2, the persons, trading in tobacco products, submit within seven days an application, attaching to it a document, evidencing the change.

(2) The entry of the changed circumstances or the denial thereof is executed under the terms and conditions of Article 34 and Article 35, Paragraph 1 and 2.

### **Article 34b**

(New, SG No. 62/2001)

(1) The validity of the permit under Article 32, Paragraph 1, may be cancelled at the request of the persons in the event of shutting down or moving of the establishment under the following conditions:

1. no quantities of tobacco products are left in the establishment;

2. the quantities of tobacco products, left in the shut-down establishment, may be transferred to another establishment, for which a permit is available;

3. a contract for sale of tobacco products was concluded with a person, possessing a permit for trade in tobacco products.

(2) The validity of the permit is cancelled by an order of the mayor of the municipality, issued within a term of seven days after emergence of circumstances under Paragraph 1.

### **Article 35**

(1) (Amended, SG No. 62/2001) The mayor of the municipality denies the issuing of a license, when:

1. the person has not submitted all documents under Article 33;

2. it has been ascertained by an act of a control body, having entered into force, that the person has been trading in tobacco products without a permit and the time limit, stipulated by the act, has not expired;

3. (amended, SG No. 26/2008) the person has public liabilities towards the state, established by an effective act of a competent body;

4. the establishments do not conform to the requirements of Article 32a, Paragraph 1

(2) (New, SG No. 62/2001, amended, SG No. 26/2008) The denial to issue a permit for trading in tobacco products may be appealed under the terms of the Administrative Procedure Code.

(3) (Amended, SG No. 62/2001) The permit is revoked when the persons under Article 32a, Paragraph 1:

1. realize sales of tobacco products in violation of the provisions of TTPA and this Regulation;

2. (amended, SG No. 26/2008) have public liabilities towards the state, established by an effective act of a competent body.

(4) (New, SG No. 62/2001, amended, SG No. 26/2008) The mayor of the municipality revokes the permit by an order. The order of the mayor may be appealed under the terms of the Administrative Procedure Code.

## **Section IV**

### **(Repealed, SG No. 62/2001)**

#### **Appeal**

#### **Article 36**

(Repealed, SG No. 62/2001).

## **Chapter Eight**

### **EXCISE BAND**

#### **Article 37**

(Supplemented, SG No. 62/2001, repealed, No. 26/2008).

#### **Article 38**

(Repealed, SG No. 26/2008).

#### **Article 39**

(Repealed, SG No. 26/2008).

#### **Article 40**

(Repealed, SG No. 26/2008).

#### **Article 41**

(Repealed, SG No. 26/2008).

#### **Article 41a**

(New, SG No. 71/2004, effective 1.01.2005, repealed, No. 26/2008).

#### **Article 42**

(Amended, SG No. 62/2001, repealed, No. 26/2008).

#### **Article 43**

(Amended, SG No. 62/2001, repealed, No. 26/2008).

#### **Article 44**

(Repealed, SG No. 26/2008).

#### **Article 45**

(Amended and supplemented, SG No. 62/2001, amended, SG No. 26/2008)

(1) The manufacturers, importers and persons, which introduce tobacco products from another European Union Member State or a state - party to the European Economic Area Agreement, are obliged to sell them on the domestic market:

1. with an affixed excise band;

2. to persons, holding authorization to trade in tobacco products.

(2) Besides the mandatory requisites, the UIC of the merchant as well as the number, the date and the place where his authorization had been issued, are entered in the invoice for sale of tobacco products.

#### **Article 46**

(Repealed, SG No. 26/2008).

#### **Article 47**

(Repealed, SG No. 26/2008).

## **Chapter Nine TRADE IN PROCESSED TOBACCO AND TOBACCO PRODUCTS**

(Amended, SG No. 62/2001)

#### **Article 48**

(Amended, SG 86/1996, 62/2001, repealed, SG No. 71/2004, effective 1.01.2005).

#### **Article 49**

(Amended, SG No. 62/2001, repealed, SG No. 71/2004, effective 1.01.2005).

#### **Article 49a**

(New, SG No. 62/2001, repealed, SG No. 71/2004, effective 1.01.2005).

#### **Article 50**

(Amended, SG No. 62/2001, repealed, SG No. 71/2004, effective 1.01.2005).

#### **Article 51**

(Amended, SG No. 62/2001, repealed, SG No. 71/2004, effective 1.01.2005).

#### **Article 52**

(1) (Amended, SG No. 62/2001, SG No. 69/2004) In addition to those under the Regulation on requirements regarding labelling, marking and outward appearance of tobacco products and for setting standards for performance of conformity assessment of contents of harmful substances in cigarettes, the mandatory elements of consumer packages for informing consumers are:

1. (amended, SG No. 26/2008) number of the pieces of cigarettes, cigars or cigarillos or weight of the tobacco for smoking (for pipes and cigars) chewing and snuff;
2. (amended, SG No. 39/2009, effective 26.05.2009) the manufacturer and the importer, provided the tobacco product is from import.

3. (new, SG No. 26/2008) marking, indicating the place and time (date) of production.

(2) (New, SG No. 26/2008, amended, SG No. 93/24.11.2009, effective 24.11.2009) In cases, where consumer packages contain a numeric and/or alphabetic code of the place and time (date) of production, the manufacturers, importers and persons, which introduce tobacco products from another European Union Member State or a state - party to the European Economic Area Agreement, must submit to the Ministry of Economy, Energy and Tourism information concerning the numerals and/or letters of the code, identifying the date of manufacture. Such information is provided not later than 14 days prior to the launch of tobacco products on the market

(3) (Amended, SG No. 62/2001, renumbered from Paragraph 2, SG No. 26/2008, repealed, SG 39/2009, effective 26.05.2009).

(4) (Amended, SG No. 62/2001, renumbered from Paragraph 3, SG No. 26/2008, amended, SG No. 93/24.11.2009, effective 24.11.2009) The Minister of Economy, Energy and Tourism, in consultation with the Minister of Health, may specify with an order additional elements for informing consumers.

## **Article 52a**

(New, SG No. 62/2001, amended, SG No. 71/2004, effective 1.01.2005,

SG No. 100/2005, SG No. 83/2006).

The sale of tobacco products without registered and selling price, as well as the sale of tobacco products without an excise band attached on the domestic market is prohibited.

## **Article 53**

(Repealed, SG No. 114/1999)

# **SUPPLEMENTARY PROVISION**

**§ 1.** For the purposes of this Regulation:

1. (Amended, SG No. 62/2001) "Transportation packaging" is such a packaging, used in the process of transportation of tobacco products by ground, water and air transport and ensuring preservation of the consumer qualities and appearance of the products

2. (Amended, SG No. 62/2001) "Products allowed for joint storage and sale" are such products, packed in a manner, not allowing the emission of odours and leakage of liquids.

3. (Amended, SG No. 62/2001) "Restaurants, pubs and bars" are catering and entertainment establishments, listed in items I, III and V of Annex No. 2 to Article 2, Paragraph 1, item 2 of Regulation No. 2 of 1998 on Classification of tourist facilities, issued by the Minister of Trade and Tourism (SG, No. 101 of 1998)

# **TRANSITIONAL AND CONCLUDING PROVISIONS**

**§ 2** (Amended, SG No. 62/2001) The technological instructions for tobacco growing pursuant to Article 8 of TTPA are drawn up by the tobacco research organizations within 30 days after entering of this Decree into force and will be approved by the Minister of Agriculture and Food Supplies.

**§ 3** The persons operating under Article 21, Paragraph 1 and Article 24 of TTPA are obliged within 30 days after entering of this Regulation into force to file an application with the Minister of Finance for

issuance of the relevant licenses.

**§ 4** The persons who have obtained licenses pursuant to Article 12, Paragraph 1 of the Regulation on Licensing of the Wines, Alcohol and Strong Drinks Producers and on the Procedure for the Wines, Alcohol and Strong Drinks Trade, adopted with Council of Ministers' Decree No. 192 of 1993 (SG No. 90/1993) preserve their rights if within 30 days they bring their commercial establishments in conformity with the provisions of this Regulation.

**§ 5** The persons who have not filed applications or have not obtained licences under Paragraphs 3 and 4, must immediately cease the activity carried out.

**§ 6** The outstanding procedures for issue of licenses pursuant to Article 12, Paragraph 1 of the Regulation on Licensing of the Wines, Alcohol and Strong Drinks Producers and on the Procedure for the Wines, Alcohol and Strong Drinks Trade are settled under the procedure of this Regulation.

**§ 7** This Regulation is published pursuant to § 5 of the Supplementary and Concluding Provisions of the Tobacco and Tobacco Products Act.

**§ 8** (New, SG No. 62/2001, Repealed, SG No. 78/2001)

**§ 9** (New, SG No. 78/2001) Categorizing and buying out of tobacco of the 2001 crop shall take place under the procedure of Article 13 and 16 in their version of 1994.

## TRANSITIONAL AND CONCLUDING PROVISIONS

to Decree No. 36 of the Council of Ministers of 27 February 2008 for  
amending and supplementing the Regulations for the Application of the  
Tobacco and Tobacco Products Act  
(SG, No. 26/2008, effective 7.03.2008)

**§ 10.** The manufacturers, importers and persons, which introduce tobacco products from another European Union Member State or a state - party to the European Economic Area Agreement, must submit, within one month of entry into force of the Decree, to the Ministry of Economy and Energy information concerning the numerals and/or letters of the code upon the consumer packages of tobacco products, identifying the date of manufacture, in regard to the tobacco products, which were already launched on the market as at the date of entry into force of the Decree.

## TRANSITIONAL AND CONCLUSIVE PROVISIONS

of Decree No 116 of the Council of Ministers of 15.05.2009 for amending  
the statutory documents of the Council of Ministers.  
(SG No. 39/2009, effective 26.05.2009)

**§ 3** Tobacco products available as at the date of entry into force of the Decree, which are intended for sale on the domestic market, and are not labeled according to its requirements, may be sold until marketing until running out of quantities, however not later than 31 December 2009.

## **Annex No. 1 to Article 10, Paragraph 1**

Municipality town/vill. .... Region .....

# CERTIFICATE OF REGISTRATION OF A QUOTA

No. ....

of ...../200 .....

Municipality town/vill. ...., region .....

Issues this certificate to the tobacco grower ....., PN  
....., ID card ..... No. ....,  
resident of town/vill ....., region ....., in  
evidence of the fact, that he is registered by an order of the mayor  
on ..... under No. .... and has received a production  
quota ..... for ..... kg  
of tobacco, of ..... origin, of the ..... variety,  
crop of 2000, settlement ....., EKATTE .....  
lot No. .... from an area of ..... decares, average yield  
from 1 decare being ..... kg.

This certificate is issued for presentation to the buyers during  
negotiations on growing and buying out of tobacco.

Mayor:.....

(stamp, seal)

## Annex No. 2 to Article 13

Minimum Quality Requirements Regarding Raw Bulgarian Tobacco,  
Processed by the Producer

### Section I

#### Quality Restrictions

The tobacco, subject to categorizing, must be of such a quality, as to  
correspond to the typical characteristics of origin, and producer packagings  
must not contain:

1. raw leaves and leaves with stems not completely dried;
2. leaves having suffered major damage from hail;
3. leaves, not sufficiently ripe or of an intense raw green color;
4. scrap - leaves next to the stems, with less than 25% of the leaf  
remaining;
5. sprouts;
6. excessively dried or blackened leaves;
7. leaves having suffered major damage from greenflies;
8. leaves suffering major damage on both sides from trips tabaci
9. leaves, containing residual pesticides;
10. leaves damaged by ground frost;
11. leaves damaged by mould or decay;
12. leaves, damaged by rot;
13. leaves, completely damaged by oidium;
14. leaves having untypical odor;
15. leaves, attacked by diseases or pests, with mechanical damage or  
such from drying, exceeding 60% of the leaf surface;
16. leaves with a humidity content, exceeding 2% of the allowance for  
the respective type and origin of tobacco in Annex No. 3.

### Section II

#### Categorizing by Quality

"Categorizing raw tobacco" denotes the establishment of the quantities  
of individual classes, of the admixtures and of the humidity content of the  
tobacco, offered for buying out.

A class is a group of dried tobacco leaves with the same or similar  
quality, corresponding to the typical features of the respective type and  
origin.

Serial No.	Group Commercial sub-type Origin	Quality Characteristics
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1	2	3
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1. BASMA

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1.1. JEBEL-BASM A I class: Rich in content ripe leaves of up

to 14 cm in length from all harvesting layers (except for lowest and highest bottom section of the plant), healthy, without damage from diseases, pests, mechanical damage or such from drying. The leaves are of a yellow, dense yellow, golden yellow up to yellow-orange and orange color. The leaves have tender tissue and veins, they are elastic with a glossy, oily texture, burn well and have a fine flavor.

II class: Rich and medium-rich in content leaves, ripe, slightly underripe and slightly overripe leaves from all harvesting layers (except for lowest bottom section of the plant) and with damage from diseases, pests, mechanical damage or such from drying on up to 20 % of the leaf surface.

The leaves are of a yellow, yellow-orange, orange-red and pale red color. A greenish shade is acceptable. Leaves with a pale, washed-up-like appearance are not acceptable. The leaves are elastic to a medium degree, have a porous to loose structure of the leaf tissue of first hand, glossy, burn very well and have a fine flavor.

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1.2. Aromatic-Tasty: I class: Rich in content ripe leaves of up to 16 cm in length from all harvesting

NEVROKOP, layers (except for lowest and highest  
KROUMOVG bottom section of the plant), healthy,  
RAD,  
EAST without damage from diseases, pests,  
BALKAN,  
TOPOLOVG mechanical damage or such from drying.  
RAD

The leaves are of a dense yellow, yellow-orange and orange color in the case of Nevrokop, reaching an orange-red color in the case of Kroumovgrad and East Balkan, and up to coppertone color in the case of Topolovgrad. The leaves have tender vein, elastic, glossy, wavy and well nourished texture and tender tissue, burn well and have a strong pleasant flavor and full-bodied balanced taste.

II class: Rich and medium-rich in content leaves, ripe, slightly underripe and slightly overripe leaves from all harvesting layers (except for lowest bottom section of the plant) and with damage from diseases, pests, mechanical damage or such from drying on up to 20 % of the leaf surface.

The leaves are in all colors and shades without green and brown color. Leaves of a pale, dull and washed-up-like appearance are not acceptable. A greenish shade is acceptable.

The leaves are elastic to a medium degree, have a porous to loose structure of the leaf tissue of first hand, glossy and rich in content to a medium degree, burning very well and with an intensive flavor and balanced to sweet taste.

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2.1.	Aromatic-Tasty: DOUPNITZA,  MELNIK, SVILENGRAD, HARMANLI, SREDNOGORSKA YAKA	<p>I class: Rich in content ripe leaves of up to 20 cm in length from all harvesting layers (except for lowest and highest bottom section of the plant), healthy, without damage from diseases, pests, mechanical damage or such from drying.</p> <p>The leaves are of a yellow to yellow-orange in the case of Melnik and Harmanli, reaching an orange color with a reddish shade in the case of Doupnitza, Svilengrad and Srednogoska Yaka.</p> <p>The leaves have an elastic, glossy, wavy and well nourished texture with a porous and tender tissue, burn very well and have a typical pleasant flavor and very good full-bodied, balanced to sweet taste.</p> <p>II class: Medium-rich and rich in content leaves, ripe slightly underripe and slightly overripe leaves from all harvesting layers (except for lowest bottom section of the plant) and with damage from diseases, pests, mechanical damage or such from drying on up to 20 % of the leaf surface.</p> <p>The leaves are in all colors and shades without green and brown color. Leaves of a pale and dull (washed-up-like) appearance are not acceptable. A greenish shade is acceptable.</p> <p>The leaves are elastic to a medium degree, have a porous and up to loose structure of the leaf tissue of first hand, with a fine leaf tissue, glossy and rich in content to a medium degree, burning very well and with a pleasant flavor and taste.</p>
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2.2.      Aromatic:  
USTINA

I class: Rich in content ripe leaves of up to 20 cm in length from all harvesting layers (except for lowest and highest bottom section of the plant), healthy, without damage from diseases, pests, mechanical damage or such from drying. The leaves are of a yellow, yellow-orange to orange-red color with an elastic, glossy and well nourished texture with a tender tissue, burn well and have an intensive typical fine flavor and pleasant taste.

II class: Medium-rich and rich in content leaves, ripe slightly underripe and slightly overripe leaves from all harvesting layers (except for lowest bottom section of the plant), and with damage from diseases, pests, mechanical damage or such from drying on up to 20 % of the leaf surface.

The leaves are in all colors and shades without green and brown color. Leaves of a pale, dull and washed-up-like appearance are not acceptable. A greenish shade is acceptable.

The leaves are elastic to a medium degree, have a porous to loose structure of the leaf tissue of first hand, fine leaf tissue, glossy and rich in content to a medium degree, burning very well and with a marked typical flavor and balanced pleasant taste.

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2.3.      Tasty:  
SEVERNA  
BALGARIA,  
TEKNE

I class: Rich in content ripened leaves of up to 22 cm in length from all harvesting layers (except for lowest and highest bottom section of the plant), healthy,

without damage from diseases, pests, mechanical damage or such from drying. The leaves are of a yellow, yellow-orange and orange color in the case of Severna Balgaria, reaching a coppertone color in the case of Tekne, having a Fleshy, elastic, well nourished texture medium dense and fine tissue, burning very well. Neutral to pleasant flavor and balanced to pleasant and full-bodied taste.

II class: Medium-fleshy and fleshy leaves, ripe, slightly underripe and slightly overripe leaves from all harvesting layers (except for lowest bottom section of the plant), and with damage from diseases, pests, mechanical damage or such from drying on up to 20 % of the leaf surface. The leaves are in all colors and shades without green, dark green, and dark brown color and leaves of a pale and dull (washed-up-like) appearance are not acceptable. A greenish shade is acceptable. The leaves are elastic to a medium degree, glossy and rich in content to a medium degree, have a porous to loose structure of the leaf tissue of first hand, fine leaf tissue burning very well and with an ordinary to pleasant tobacco flavor and a good taste.

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All quality groups and origins

III class: Fleshy, medium-fleshy and poor in content leaves from all harvesting layers and all degrees of ripeness. Without limitations of length, having damage from diseases, pests, mechanical damage or such from drying on up to 60 % of the leaf surface. Color of the leaves - all colors

and shades without blackened leaves, rough green and rough brown leaves and without leaves, mentioned in the minimum quality requirements - Section I of Annex No.2.

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Note. The length of the leaves for II class is determined by the length of the leaves of second hand in accordance with the characteristics of the variety, forming the respective origin.

#### B. Tobacco of the Virginia Type - Flue-cured

Class	Quality Characteristics
I class	Leaves are technically ripe, fleshy, of a length over 38 cm, from the medium harvesting layer. Damages may be allowed in percentage of the leaf surface, as follows: of mechanical nature up to 10 percent, from spotted diseases up to 5 percent, from pests up to 5 percent, from drying up to 5 percent. The leaves have an even, uniform color on the entire leaf surface - yellow, dense yellow, yellow-orange, orange to orange-red color without greenish shades, incl. along the principal and the side veins and on the "reverse" of the leaf. The leaves have a very good elasticity and strength, an open grainy structure, a surface tender and soft to the touch.
II class	Leaves are ripen, slightly underripe, slightly overripe, medium rich in content, of a length over 28 cm, from all harvesting layers except for lowest bottom section of the plant (sandy leaves), with damages from diseases, pests, of mechanical nature or from drying up to 30% of the leaf surface. Color of the leaves - all colors except for

green, dark brown, pale and greyish color. Slick leaves are not acceptable. Uneven coloring and a greenish shade may be acceptable for up to 20% of the leaf surface. The leaves are dense to porous, of good strength and well nourished texture, elastic.

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III class      Leaves from all harvesting layers, poor in content (scanty), of all degrees of ripeness, without limitation as to the size of the leaves, damaged by diseases, pests, of mechanical nature or from drying up to 50% of the leaf surface. Leaves are of all colors and shades without green, dark brown - blackened leaves and such of mixed color of over 20% of the leaf surface and without the leaves, mentioned in the minimum quality requirements - Section I of Annex No.2.

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#### C. Tobacco of the Burley Type - light-air cured

Class	Quality Characteristics
I class	Leaves are technically ripe, fleshy, of a length over 40 cm, of the medium harvesting layer. Damages may be allowed in percentage of the leaf surface, as follows: of mechanical nature up to 15 percent, from spotted diseases up to 5 percent, from pests up to 5 percent, damages from drying up to 5 percent. The leaves are of light brown, brown, brown-reddish color, even and uniform on the entire leaf surface. Leaves of yellow coloring or yellow spots are not acceptable. The leaves have a very good elasticity and strength, a fine tissue

with a loose structure, porous, burn very well.

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II class      Leaves are ripe, slightly underripe, slightly overripe, from all harvesting layers, of a length over 28 cm, with mechanical damage of up to 30 percent of the texture of the leaf, damages from pests up to 30%. Defects may be acceptable, caused by drying to up to 15 percent of the leaf texture. The leaves are of yellow-brown and brown color of different nuances (spotty) without green, elastic, with a dense to loose structure and burn very well.

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III class      Leaves of all degrees of ripeness, from all harvesting layers, without limitation as to the size of the leaves, having damage by diseases, pests, of mechanical nature or from drying up to 50% of the leaf texture. Leaves have little or no elasticity, are membranous to woody, of all colors and shades without dark green and blackened leaves and such of a mixed color of over 20% of the leaf surface and without the leaves, mentioned in the minimum quality requirements - Section I of Annex No.2.

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**1. General requirements:**

1.1. Categorizing of tobacco is carried out by authorized representatives of the buyer and the seller on the spot and under such terms, defined in the production contract between the buyer and the seller,



as to ensure the fairness of categorizing.

1.2. In each transfer and acceptance location, before beginning the buying out, the buyer and the representatives of the producers jointly develop and post at visible spaces standards - specimens of tobacco leaves from the different classes, according to the quality characteristics of the classes of the respective type or origin of tobacco, which will be bought out at the location in question.

1.3. The weighting of producer packagings takes place using scales with a maximum load of 50 kg.

1.4. Having completed the categorizing of the tobacco by the buyer, a label is placed on each producer packaging in the form shown in Annex No. 6, on which the data of the categorization are shown. The label shows the net kilograms of tobacco of I-III class and the unpaid quantities, contained in each packaging. These must correspond to the data, shown in the protocol of transfer and acceptance, in the form shown in Annex No. 2 to the TTPA.

## **2. Definitions of the terms:**

**1. Type.** A principal grouping of tobacco on the basis of its biological variety, place of growing, i. e. the natural and geographic conditions, under which it is grown, the method of drying or the manner of use;

1.1. Oriental tobaccos. Tobaccos, grown in given geographical zones, characterized by specific environmental conditions, typified by suitable varieties, sun-dried under natural conditions, intended for manufacture of tobacco products, as well as for improvement of the taste and aroma qualities thereof.

1.2. Virginia tobacco (flow-cured). Tobacco, dried in artificial conditions by regulation of the heat and ventilation, not allowing contact of the smoke and vapors of the fuel with the tobacco.

1.3. Burley tobacco (light air cured). Tobacco, dried under natural atmospheric conditions in the shade with partial regulation of the humidity of the air.

**2. Commercial subtype.** A grouping of the tobacco within a type, depending on the variation of the natural and geographic conditions and the consumption qualities. Within the "Bulgarian Oriental Tobaccos" type 2 sub-types are defined: basmati and bashi bali.

**3. Origin (technical region, eco-type).** The entirety of tobacco, grown

in a geographically differentiated section of the country, where the climate conditions, the technology of growth, the varieties and other economic conditions form a tobacco with identical or similar traits, consumer qualities and identical typical nature.

**4. Variety.** A relatively uniform plant entirety, having specific genetic traits, created by man for specific soil and climate conditions, which given the respective technology of growing and drying ensures a steady plant produce in terms of quantity and quality.

**5. Quality.** Expresses the manifestation of the aggregate of all properties of the tobacco, which endow it with a definite character and determine its consumer value.

5.1. Consumer value - the market appraisal regarding the suitability of the smoking and physical properties of the tobacco leaves for manufacture of tobacco products.

**6. Quality factors.** The class is formed on the basis of the aggregate of the fundamental factors, influencing the quality - ripeness, fleshiness, harvesting and damages:

6.1. Ripeness (technical). A factor of the quality. Expresses the degree of ripening of the tobacco leaves. The technical ripeness is such a ratio of chemical substances in the undried tobacco leaves, which is best for the quality. It is characterized by lightening (clearing) of the color of the green leaf, the tissue of the leaf becoming more dense, the increase of the content of resins in the surface of the leaf.

Degrees of manifestation: unripe, slightly unripe, technically ripe, slightly overripe and overripe.

6.2. Fleshiness. A factor of the quality. Expresses a favorable combination of chemical components, having a positive correlation with the quality. Degrees of manifestation: fleshy, medium-fleshy, low-fleshy.

6.3. Harvesting. A factor, forming fleshiness and respectively the quality.

Shows the position of the leaves along the height of the stem of the plant. Because of the biological particularities of the tobacco plant, in the course of vegetation the various harvests develop in different meteorological conditions, have a different time span for achieving technical ripeness, time for harvesting and drying method, due to which a different fleshiness and respectively quality is formed.

The harvests cover 3-4 leaves, as follows:

- lowest bottom section of the plant - sand (dib)- leaves from the lowest section of the plant;
- highest bottom section of the plant - dibbashi - leaves from the lower section of the plant;
- first hand - the lowest leaves from the middle section of the plant;
- second hand - the middle leaves from the middle section of the plant;
- third hand - the upper leaves from the middle section of the plant;
- kovalama - the lower leaves from the upper section of the plant;
- undertop (uchalti) - leaves from the upper section of the plant;
- top (uch) - leaves from the top section of the plant.

In brackets are shown the popular titles of the harvests in oriental tobaccos.

- Harvesting layer. A combination of several consecutive harvests, linked on the basis of the position of the leaf on the stem of the plant with similar quality:

At least three harvesting layers are formed:

- lower - including lowest and highest bottom section of the plant;
- middle - including the hands;
- upper - including kovalama, undertop and top.

6.4. Damages. A factor of the quality. Expresses all damages of tobacco leaves of any kind, which do not lead to deterioration of the consumer qualities of the tobacco and are not big enough to designate it as unfit for use tobacco (described in Section II Quality Restrictions of Annex No. 2).

**7. Quality indicators.** The outer organoleptic indications of the leaves, expressing their quality are the size, color, elasticity and structure of the leaves:

7.1. Size. Expresses the quality, a basic indicator for differentiation of a class. Determined by the variety and growing conditions in the respective technical region.. Characterizes the type and origin.

7.2. Color. Expresses the quality, a composite indicator of the fleshiness of tobacco and a basic indicator for differentiation of a class. Determined on the basis of the color tone, shades, intensity and brightness of the color, subjectively perceived. The following colors are determined as regards tobacco:

Basic colors: yellow, orange, red, brown.

Color combinations: pale yellow, yellow-orange, orange-red, red-orange, yellow-green, orange-green, copper- (tone)-red, red-brown, brown-red, chocolate brown.

Degrees of density of the color tone: pale, dense, dark.

7.3. Elasticity. The property of tobacco leaves to resume their initial position, shape and dimensions after folding and pressing.

7.4. Structure of the leaves: The cellular structure of the leaves, determined by the location of the cells, their shape and dimensions after drying.

**8.** Tobacco, unfit for use - it is not categorized and bought out, as described in Section I Quality Restrictions of Annex No. 2.

**9.** Admixtures. Alien bodies of non-tobacco origin (of natural or artificial origin), which are not allowed in tobacco - hay, ropes, paper, synthetic strings, rocks, brooms, metal particles etc.

### Section III

#### Rules for Categorizing

Categorizing is carried out separately for each producer packaging in the following sequence

**1.** The exact weight of the producer packaging is established (bale, bundle, sandwich).

**2.** The assessor inspects each producer packaging as regards appearance, packaging, shape and dimensions.

**3.** The producer packaging is checked as regards uniformity of the material on the two short and two long sides of the bale.

**4.** At least 5 pastals are extracted from both sides of the bale and on the basis of their inspection an assessment is made regarding the ratio of classes in percentages.

It is allowed for the assessment of the Virginia tobacco to be carried out in the process of vacating the drying chambers, and in such cases tobacco from at least 10 percent of the palets must be inspected.

**5.** The data of the inspection are recorded on the mark (label) of each packaging.

### Section IV

#### Rules for Producer Processing of Raw Tobacco

**1.** The dried tobacco leaves are unstrung, sorted and packed in

producer packagings by the producers in accordance with Section II

Categorizing by Quality in three classes.

**2.** The sorted leaves are laid in pastals (packs for the large-leaf tobaccos), containing between 40 and 60 leaves with the stalks on one side.

**3.** The sorted and pastalled tobacco is packed in producer packagings. Each packing is made-up of tobacco, uniform in terms of harvesting, quality and origin. In cases of shortage of pastoral from one and the same harvest and quality, the bales are complemented by tobacco pastals, of similar harvesting and quality, the latter being separated from the former using paper.

**4.** Producer packagings are of a parallelipiped shape and are composed of two rows of pastals (packs), laid in opposing rows with overlapping tops.

**5.** The dimensions of producer packagings are:

a) for oriental tobaccos - 550 mm wide and 600 to 700 mm high;

b) for large-leaf tobaccos - 550 mm wide and 750 mm high;

The thickness of the packaging depends on the size of the leaves.

**6.** Weight of producer packagings:

a) for oriental tobaccos - between 14 and 26 kg, depending on the origin, harvesting and qualities;

b) for large-leaf tobaccos - between 20 and 28 kg.

**7.** In the cases of tobaccos of the Virginia and Burley type, it is also allowed to pack the tobacco in bundles or packages of the sandwich type, weighing between 20-25 kg.

**8.** Producer packagings are packed with hemp burlap, fastened with a stitching of hemp or paper rope. Producer packagings, packed in artificial materials (polyethylene, seza, etc.) are not accepted for buying out. It may be allowed to use plastic or wooden grates for packagings of the sandwich type in the cases of large-leaf tobaccos.

**9.** The construction of the producer bales takes place under normal humidity of the tobacco leaves according to Annex No. 3.

**10.** Leaves, described in Section I Quality Restrictions are not included in producer packagings.

## **Annex No. 3 to Article 13**

### **Humidity Content of the Raw Tobacco**

Type, Group, Origin	Humidity Content in %
<b>ORIENTAL</b>	
Basmati	
Jebbel Basma	16
Nevrokop	16
Kroumovgrad	16
East Balkan	16
Topolovgrad	16
Bashi Bali	
Harmanli	16
Svilengrad	16
Srednogorska Yaka	16
Doupnitza	16
Melnik	16
Ustina	16
Severna Balgaria	16
Tekne	16
FLOW CURED - Virginia	16
LIGHT-AIR CURED -	22
Burley	

## **Annex No. 4 to Article 13**

### Methods for Determining the Humidity Content of Raw Tobacco

#### I. Methods

##### A. Production Weighting Method

After preparation two samples of about 5 gr. each are placed in small metal trays with dimensions of 150 x 80 x 10mm and weighing not more than 50 gr, made of stainless sheet iron. The samples together with the trays are weighted on a technical scale with accuracy up to the second digit, after which these are dried on the upper or middle shelf of a drying cabinet at a temperature of 103°C for 30 minutes, in case the cabinet has a ventilation device and for 1 hour in cases such a device is absent. After tempering in an temperature oven for 30 minutes, the samples are measured again and the difference in weight is recorded. The humidity content is calculated by the formula

$$W = (m_1 - m_2) / (m_1 - m_3) \times 100\%,$$

where: W is the humidity content in percentages;

m<sub>1</sub> - weight of the starting sample and the weighting vessel in grams;

m<sub>2</sub> - weight of the dried sample and the weighting vessel in grams;

m<sub>3</sub> - weight of the weighting vessel in grams.

The difference in the humidity content in parallel samples must not exceed 0,5%, and the actual value of the established humidity is the average result from both samples.

##### B. Arbitration Weighting Method

After preparation two samples weighing between 1 and 3 gr. each are placed in weighing glasses, dried and weighed in advance. The samples together with the glasses are weighed on an analytical scale with accuracy up to the fourth digit, after which these are placed on the upper or middle shelf of a pre-heated drying cabinet at a temperature of 95°C for 3 hours. After drying the glasses with the samples are tempered in an temperature oven, fed with calcium dichloride for 30 minutes and are again measured with accuracy up to the fourth digit.

The humidity content in percent is calculated using the formula, shown under A. above.

II. Frequency of carrying out analyses of the humidity content of tobacco

Method A - at the start of buying out and at any time, when the buyer may require a check of the humidity content of the raw tobacco.

Method B - in the event of a dispute as regards the amount of excess humidity content in categorized tobacco.

III. Preparation of an average representative sample

III. 1. An average sample of raw tobacco for the purpose of physical determinations is taken from: - pastals, pads, packs, gedok or manok - in producer packagings (bales, bundles, sandwich type packagings).

Leaves (packs, pastals) are extracted from each packaging in proportion to the weight e, such as to be representative for the tobacco in the packaging as a whole. The sample must cover the same quantity of leaves from all sections of the packaging - center, top and the narrow sides of the bale, and along the diagonals of the packaging not less than five pastals/packs are extracted bilaterally. The volume of the sample, taken from each packaging, must be not less than the weight e.

III. 2. For determining the humidity content of tobacco the preparation of the sample is carried out in the following manner:

The sample taken is homogenized and shortened by cutting in four up to 300 gr in a nylon envelope with a view to prevent a change in the humidity content.

The test sample is taken from the packs chosen using a probe (horn) of 15-20mm diameter of the opening and depth of sinking about 30mm. The tobacco circles are placed in mandatorily well closing glass jars or nylon bags.

## **Annex No. 5 to Article 13**

### **Methods for Determining Content of Soil and Sand**

The determination is made using an average sample, selected in accordance with item III. 1 of annex no. 4 and reduced to about 100 gr. The sample from the leaf is weighed on a technical scale with an accuracy to the first decimal point.

The separation of soil and sand particles is made by hand by brushing each leaf on both sides with a round bristle brush. The operation is carried out on a sheet of white glossy paper.

The mineral particles separated are transferred in bulk to a measuring vessel and are weighed on an analytical scale.

The soil and sand content is calculated by the formula:

$X = (m_1/m_2) \times 100$ , where:

X is the soil and sand content in percentages in comparison to the initial weight;

m1 - the soil and sand weight in grams;

m2 - the weight of the initial sample.

This determination is carried out in cases of disputes