

A BILL FOR AN ACT

To further amend title 41 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-21, 6-9 and 6-38, by adding new sections 802, 803 and 804 of chapter 8, for the purpose of prohibiting the advertisement and sale to minors of tobacco products, intoxicating beverages and narcotic drugs, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Title 41 of the Code of the Federated States of
2 Micronesia is hereby further amended by adding a new section 802 of
3 chapter 8 to read as follows:

4 "Section 802. Advertising of harmful products.

5 (1) No manufacturer, retailer, distributor of tobacco
6 products or other person shall advertise or promote by
7 billboard, radio, television, public broadcast, handout,
8 device or otherwise for commercial purposes:

9 (a) cigarettes, cigars, pipe tobacco, chewing
10 tobacco, snuff or other tobacco products;

11 (b) beer, wine, liquor or other intoxicating
12 beverages except sakau (Piper methysticum); or

13 (c) narcotic drugs as defined in title 11 of
14 this code.

15 (2) Notwithstanding the prohibitions of subsection
16 (1) of this section, nothing herein shall prohibit a
17 commercial vendor from advertising prices of legal products
18 by hand-drafted signs; PROVIDED, however, that such signs
19 are inside of the vendor's premises and not visible to
20 the public from outside of the vendor's premises.

21 (3) Any person who violates the provisions of this
22 section shall be guilty of a misdemeanor, and upon
23 conviction thereof shall be fined not more than \$5,000 per
24 offense, or imprisoned not more than 30 days per offense,
25 or both."

1 Section 2. Title 41 of the Code of the Federated States of
2 Micronesia is hereby further amended by adding a new section 803 of
3 chapter 8 to read as follows:

4 "Section 803. Providing harmful products to minors.

5 (1) No manufacturer, retailer, distributor of tobacco
6 products or other person shall sell, give or otherwise provide
7 or distribute cigarettes, cigars, pipe tobacco, chewing tobacco,
8 snuff or other tobacco products, intoxicating beverages except
9 sakau (Piper methysticum), or narcotic drugs without a
10 doctor's prescription to a person 17 years of age or younger.

11 (2) To ensure compliance with section 802 and section
12 803 subsection (1), random, unannounced inspections will be
13 conducted periodically by an appropriate law enforcement agency
14 of retail or other establishments where tobacco products,
15 intoxicating beverages and narcotic drugs are manufactured,
16 sold or distributed.

17 (3) Any person who violates the provisions of this
18 section shall be guilty of a misdemeanor, and upon conviction
19 thereof shall be fined not more than \$5,000 per offense, or
20 imprisoned not more than 30 days per offense, or both."

21 Section 3. Title 41 of the Code of the Federated States of Micro-
22 nesia is hereby further amended by adding a new section 804 of chapter
23 8 to read as follows:

24 "Section 804. Posting signs.

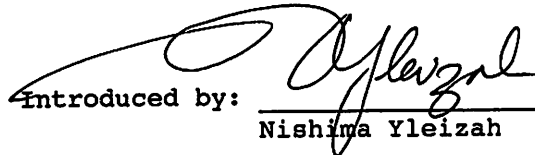
25 (1) Signs shall be prominently posted in all retail or

1 other establishments where tobacco products, intoxicating
2 beverages or narcotic drugs are sold or distributed, on
3 which are printed the text of section 803, subsections (1)
4 and (3) of this title. The signs shall be printed in the
5 language predominantly spoken in the area where the
6 establishment is located and in English, in letters designed
7 to be easily read, at least one-half inch high.

8 (2) Any person who violates the provisions of this
9 section shall be guilty of a misdemeanor, and upon conviction
10 thereof shall be fined not more than \$500 per offense, and
11 be required to comply with the requirements of this section
12 immediately."

13 Section 4. This act shall become law upon approval by the
14 President of the Federated States of Micronesia or upon its becoming
15 law without such approval.

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17 Date: Oct 15, 1993

Introduced by: 
Nishima Yleizah

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