

TOBACCO CONTROL REGULATIONS, 2013

The Tobacco Control Regulations are intended to deal specifically with the packaging and labelling of tobacco products. The Regulations specify a mandatory rotation of graphic images on packages together with health warnings in an attempt to discourage smoking.

TOBACCO CONTROL REGULATIONS, 2013

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LEGAL NOTICE NO. 6

REPUBLIC OF TRINIDAD AND TOBAGO

TOBACCO CONTROL ACT, CHAP. 30:04

REGULATIONS

MADE UNDER SECTION 38(1) OF THE TOBACCO CONTROL ACT AND
SUBJECT TO AFFIRMATIVE RESOLUTION OF PARLIAMENT

THE TOBACCO CONTROL REGULATIONS, 2013

PART I

PRELIMINARY

1. These Regulations may be cited as the Tobacco Control Regulations, 2013.

2. In these Regulations—

Interpretation

“carton” means a box, container or package containing more than one pack of tobacco products;

“case” means a container designed for the transportation and storage of cartons, and which is intended for use in the wholesale trade;

“cigarette” means any roll of tobacco that is wrapped in—

(a) paper or any other material; or

(b) any material made from tobacco or its derivatives;

“health message” means an image set out in Schedule 1;

“pack” means a box, canister or any other container, other than a carton, in which a tobacco product is sold;

“packaging” means any outer covering or wrapping on a pack or carton;

“principal display surface areas” means the front and back of a pack or carton or such other part of a pack or carton which is intended to be conspicuous to the consumer; and

“wholesaler” means any person who buys tobacco products in bulk and resells them to another seller and includes a distributor.

3. These Regulations shall come into effect one year after the date of publication.

PART II

LABELLING

Labelling
requirements

4. (1) The following information shall be displayed on the principal display surface areas of a pack or carton intended for sale in Trinidad and Tobago:

- (a) the type of tobacco product;
- (b) the net contents or the number of units per pack or carton;
- (c) the health messages required in accordance with Part III;
- (d) the name and address of the manufacturer; and
- (e) the declaration required in accordance with regulation 7 and Schedule 3.

(2) All health messages shall be printed on the pack or carton, and not on the packaging.

PART III

HEALTH MESSAGES

Requirements
for health
messages

5. (1) The health messages shall be located on the lower half of the front and back panels of each pack and in such a way that the health message will not be damaged when the pack is opened.

(2) On conical shaped packs, the health messages shall cover half of the surface area, in a rectangular format and shall read vertically rising from the bottom or at the wider end up to two-thirds the height of the pack and such that the 'front of pack' and 'back of pack' parts of the health messages are placed equally opposite each other.

(3) On packs of other shapes, the health messages shall cover half of the principal display surface area, front and back in a rectangular format.

(4) The health messages shall be—

- (a) printed on the pack in a framed area, with the thickness of the frame being not more than 0.5 mm;
- (b) reproduced from electronic images obtained from the electronic files approved and managed by the Unit used to generate the health messages in Schedule 1; and
- (c) depicted, for differently shaped packs, in accordance with the instructions received with the electronic files.

(5) No statement relating to smoking or health, other than that prescribed in Schedule 3, shall be included in or on any pack or carton.

(6) Where a cigarette is intended to be sold individually, each cigarette shall be wrapped and the message "SMOKING IS DANGEROUS" shall be displayed conspicuously on the wrapper.

6. (1) The health messages shall be divided into two distinct sets and each set shall comprise twelve distinct health messages, as outlined at Schedule 1 as Set A and Set B, and the sets shall be rotated in accordance with Schedule 2. Sets to be used to display health messages

(2) The twelve health messages from a set in Schedule 1 shall be evenly distributed within every case.

7. The declaration in Schedule 3 shall—

(a) appear in a framed area—

- (i) on the side panel, on rectangular packs;
- (ii) on the portion of the side panel lower than the flip-top opening, on flip-top packs;
- (iii) adjacent to the health messages on packs, for other shapes; and
- (iv) on any side, for cartons, with the declaration area being at least 3 cm by 9 cm.

Declaration to be placed on packs and cartons

(b) be printed—

- (i) on each pack or carton of tobacco products;
- (ii) in Avant Garde font, Medium BT, upper and lower case type or in an equivalent type with letters being 2 mm high; and
- (iii) in black on a yellow or white background.

8. The manufacturing date and batch number shall be indicated on each pack or carton. Manufacturing date and batch number

PART IV

CIGARETTE DISPENSERS

9. (1) The display surface area of a cigarette dispenser shall not exceed 1 cubic metre. Cigarette dispensers

(2) A cigarette dispenser shall be white or grey and shall be made of material that is opaque.

(3) A cigarette dispenser shall—

- (a) not bear any trademarks, company logos or other identifying marks of tobacco products; and
- (b) depict the health messages as set out in Schedule 1 and rotate them in accordance with Schedule 2.

(4) No more than one cigarette dispenser shall be provided per outlet.

Seller to
display sign

10. (1) A seller shall cause to be conspicuously displayed at all times, in a prominent place in that part of the premises where tobacco products are offered for sale, a sign in bold upper case letters, that reads as follows:

**"THE SALE OF TOBACCO PRODUCTS TO PERSONS
UNDER THE AGE OF EIGHTEEN YEARS IS PROHIBITED".**

(2) A person who fails to comply with subsection (1) commits an offence and is liable on summary conviction to a fine of five hundred dollars.

PART V

MISCELLANEOUS

Cartons of
cigarettes

11. The requirements of Part III apply to cartons except that each carton shall depict any three health messages from Schedule 1 on all six sides, with each of the three health messages appearing on opposite sides of each other.

SCHEDULE 1

Health Messages




SET A



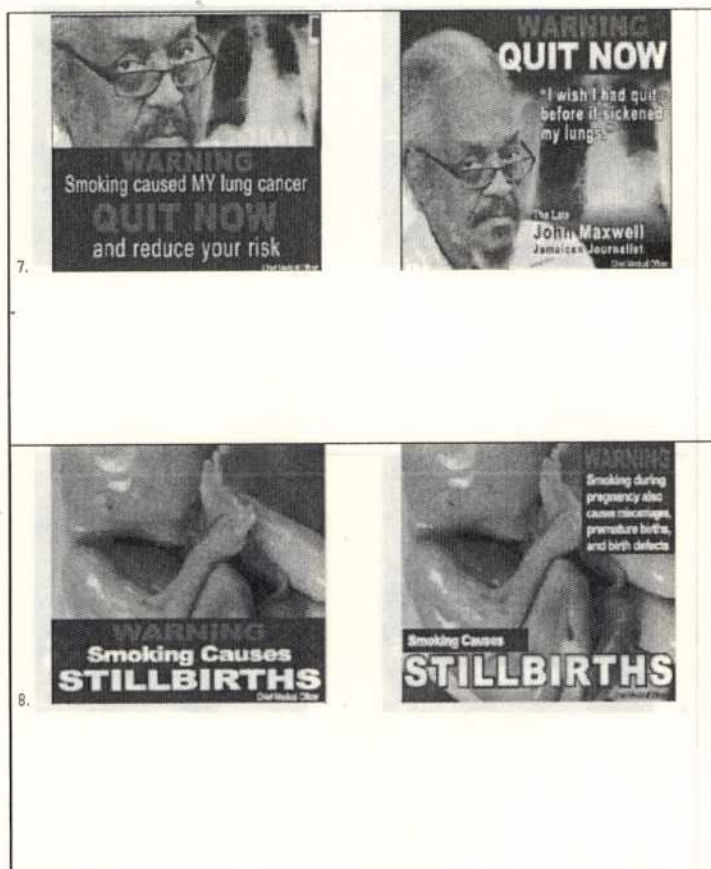
SCHEDULE 1—CONTINUED



SCHEDULE 1—CONTINUED

5.  <p>WARNING Smoking Causes IMPOTENCE</p> <p><small>© 2011 Medical Officer</small></p>	 <p>WARNING Smoking Causes IMPOTENCE</p> <p>Smoking decreases the blood flow needed for an erection</p> <p><small>© 2011 Medical Officer</small></p>
6.  <p>WARNING Smoking Causes BLINDNESS</p> <p><small>© 2011 Medical Officer</small></p>	 <p>WARNING Smoking Causes BLINDNESS</p> <p>Smoking causes irreversible damage to the eye.</p> <p><small>© 2011 Medical Officer</small></p>

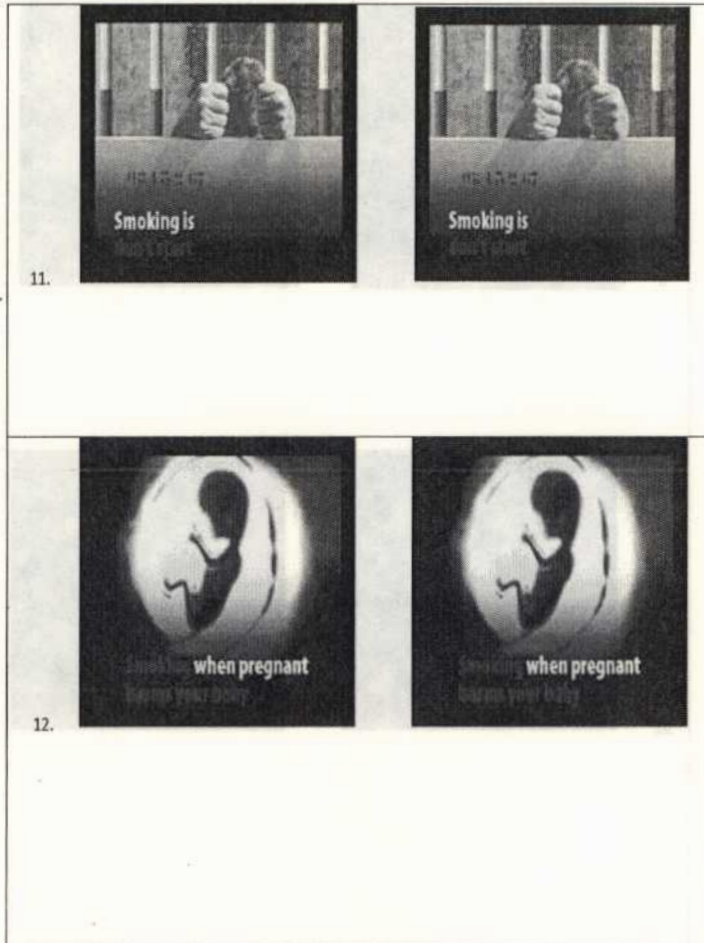
SCHEDULE 1—CONTINUED



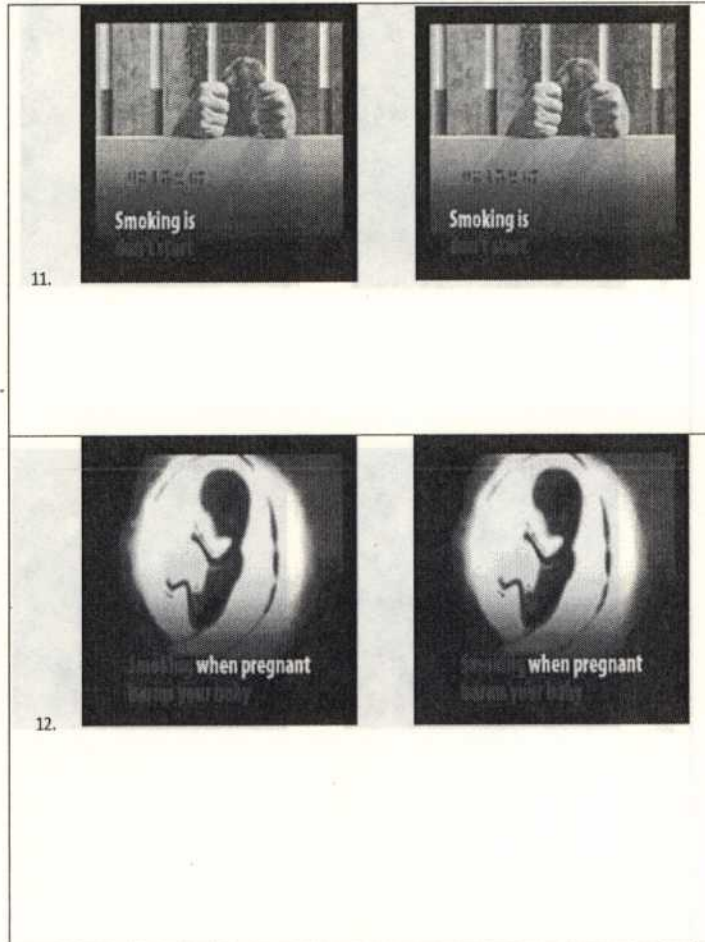
SCHEDULE 1—CONTINUED

9.		
10.		

SCHEDULE 1—CONTINUED



SCHEDULE 1—CONTINUED



SCHEDULE 1





SET B

FRONT

BACK

<p>1.</p> 	
<p>2.</p> 	

SCHEDULE 1—CONTINUED

FRONT	BACK
<p>3.</p>  <p>WARNING YOUR Smoke May Kill Your Children <small>Chief Medical Officer</small></p>	 <p>WARNING YOUR Smoke May Kill YOUR Children <small>Second-hand smoke causes Asthma and other deadly diseases</small> <small>Chief Medical Officer</small></p>
<p>4.</p>  <p>WARNING Smoking Causes MOUTH DISEASE <small>Chief Medical Officer</small></p>	 <p>WARNING Smoking Causes MOUTH DISEASE <small>It also causes: bad breath, speech problems, and makes it difficult to eat and swallow</small> <small>Chief Medical Officer</small></p>

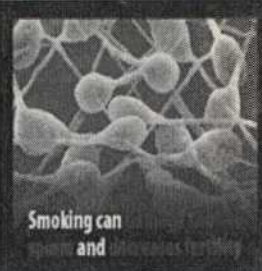
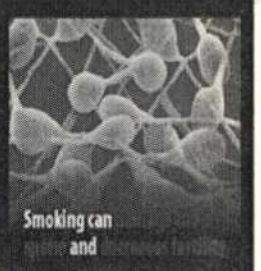
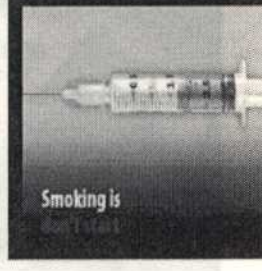

SCHEDULE 1—CONTINUED

5.  <p>WARNING Smoking Causes GANGRENE</p> <p><small>Copyright © 2011</small></p>	 <p>WARNING Smoking Causes GANGRENE ...which can cause amputation of YOUR limbs</p> <p><small>Copyright © 2011</small></p>
6.  <p>WARNING Smoking Causes NECK CANCER</p> <p><small>Copyright © 2011</small></p>	 <p>WARNING SMOKING can CAUSE your DEATH from NECK CANCER Smoking Causes Neck Cancer and cancers of the lip, tongue, cheeks and throat</p> <p><small>Copyright © 2011</small></p>

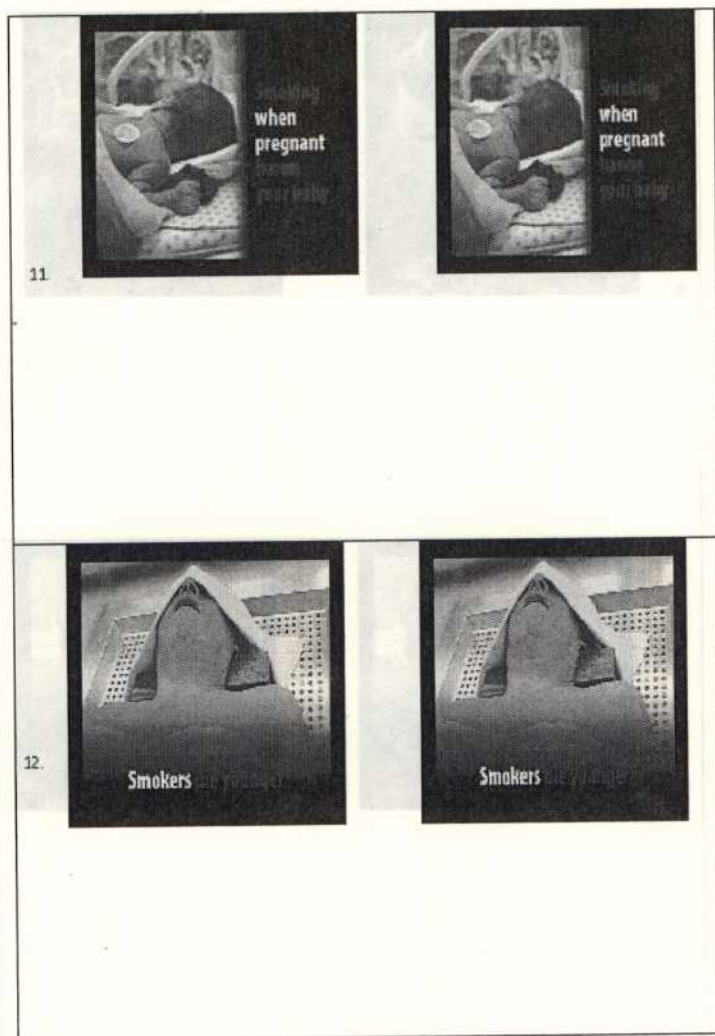
SCHEDULE 1—CONTINUED

7. 	
8. 	

SCHEDULE 1—CONTINUED

9.	 <p>Smoking can harm sperm and decreases fertility</p>	 <p>Smoking can harm sperm and decreases fertility</p>
10.	 <p>Smoking is like taking shots</p>	 <p>Smoking is like taking shots</p>

SCHEDULE 1—CONTINUED



SCHEDULE 2

Schedule of Rotation of Health Messages

Commencement of Regulations (Year 1)	Month
Use Set A exclusively	1
Use set A exclusively	2
Use set A exclusively	3
Use set A exclusively	4
Use set A exclusively	5
Use set A exclusively	6
Use set A exclusively	7
Use set A exclusively	8
Introduce set B, phase out Set A	9
Introduce set B, phase out Set A	10
Introduce set B, phase out Set A	11
Introduce set B, phase out Set A	12
(Year 2)	
Use set B exclusively	1
Use set B exclusively	2
Use set B exclusively	3
Use set B exclusively	4
Use set B exclusively	5
Use set B exclusively	6
Use set B exclusively	7
Use set B exclusively	8
Introduce set A, phase out Set B	9
Introduce set A, phase out Set B	10
Introduce set A, phase out set B	11
Introduce set A, phase out set B	12

SCHEDULE 3

Declaration

"Smoke from this product contains extremely addictive nicotine and toxic substances such as tar and carbon monoxide. No safe level of consumption exists for this product".

Dated this 12th day of September, 2013.

F. KHAN
Minister of Health

Affirmed by the House of Representatives this 13th day of December, 2013.

J. SAMPSON-MEIGUEL
Clerk of the House

Affirmed by the Senate this 10th day of December, 2013.

N. ATIBA-DILCHAN
Clerk of the Senate