

CIGARETTES AND OTHER TOBACCO PRODUCTS (PACKAGING AND LABELLING) RULES, 2006

33004.99 REGD. NO. 1) ! Che Gazette of EXTRAORDINARY PARI' 11—Section (i) PUBLISHED BY AUTHORITY S, 1928 NEW DELHI. WEDNESDAY. JULY 11 (11TT) 5 2006 AT 402(31 (3-IT{ 2003, (7 i S f •frax-r 1.1-17 THE GAZETTE OF INDIA EXTRAORDINARY PART 1. -3TTQ?T7; qi-g f33T\$7 fafi:fisz few* q-frafa7 fr-a-ä t-g -a-rat -aft-a (I Alif 3-117 -q-r-p-q-r — faf:ftE 25m 2. farr t. 4 THE GAZETTE OF INDIA EXTRAORDINARY [PAR 11 3 4. x:frgt f) •gf7 I fFtg 3FTF-q fafa•fzv_ GfTQI MINISTRY OF HEALTH AND FAMILY WELFARE (Department of Health) NOTIFICATION NC" Delhi, lhc 51}) Ju]v 2006 G.S.R. 402 (E) .—In exercise of the powers conferred by Sub-section (1) of Section 7 Sub-section (2) or Section 8. Section and Section 31 of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce—Production- Supply and Distribution) Act, 2003 (34 of 2003), the Central Government makes the following rules. — (1) These rules may be called the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce—Production, Supply and Distribution) Rules, 2006 — and these rules, unless the context otherwise requires — 2. Definitions. the (1) Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce—Production, Supply and Distribution) Act, 2003. (i) "package" means box, pouch, conical, cylindrical or any other type of pack used for packaging cigarette and other tobacco products [PART II—SEC. (c) "principal display area" means— 5 (i) for box type packages, two equal sized largest surface area(s) of the box that may be displayed or visible under normal or customary conditions of sale or use; (ii) for pouch type packages, the entire surface area of the pack that may be displayed or visible under normal conditions of sale or use; (iii) for conical or cylindrical type of packages, the entire curving area of the pack that may be displayed or visible under normal or customary conditions of sale or use; (iv) for any other form or type of package, the entire surface area of the pack that may be displayed or visible under normal or customary conditions of sale or use; (d) "specified health warning" means, such health warnings as specified by the Central Government from time to time, in the schedule to these rules

3. Mandate of packing and labelling.—(1) Every person engaged directly or indirectly in the production, supply, import or distribution of cigarette or any other tobacco products shall ensure that— (a) every package of cigarette or any other tobacco product shall have the specified health warning exactly as specified in the schedule to these rules; (b) the specified health warnings shall occupy at least fifty per cent of the principal display area/s of the pack and shall be positioned parallel to the top edge of the package and in the same direction as the information on the principal display area/s: Provided that for conical packs, the vertical end of the pack shall be considered as the top edge of the pack: Provided further that for box and pouch type of packs, the specified health warning shall appear on both sides of the pack, on the largest panels; (c) none of the elements of the specified warning are severed, covered or hidden in any manner when the package is sealed or opened; (d) no messages that directly or indirectly promote a specific tobacco brand or tobacco usage in general are inscribed on the tobacco product package; (e) no product shall be sold unless the package contains the specified health warning: Provided that the specified health warning shall be printed on every retail pack in which the tobacco product is normally intended for use or retail sale, as well as any other external packaging, such as cartons or boxes; (f) the specified warnings shall be inscribed in the language/s used on the pack: Provided that not more than two languages shall be used on the pack, so as to ensure that the specified warning is legible and prominent; (g) no tobacco product package or label shall contain any information that is false, misleading, or that is likely or intended to create an erroneous impression about the characteristics, health effects, or health or other hazards of the tobacco product or its constituents. This prohibition includes, but is not limited to, the use of words or descriptors, whether or not part of the brand name, such as "light", "light", "mild", "ultra mild", "low tar", "smooth", "safer" or similar words or descriptors, any graphics associated with, or likely or intended to be associated with, such words or descriptors, and any package design characteristics, associated with, or likely or intended to be associated with, such descriptors

4. Prohibition on obscuring, masking, altering or detracting from the Specified Health Warnings— No person shall sell or supply any product, device, or other thing that is intended to be used, or that can be used, to cover, obscure, mask, alter, or otherwise detract from the display of specified health warning on

the tobacco product package. This includes prohibition to design the product package or parts of the package, or accessories thereto, with any cover that may obscure the prescribed messages

5. Rotation of Specified Health Warnings—The specified health warning on tobacco packs shall be rotated every 12 months or may be decided by the Central Government from time to time. THE GAZETTE OF INDIA . EXTRAORDINARY (see rule 3) 1. Components of specified health Warning.—The components for the specified health warning shall include. (2) 2. Skull and Bones Sign.—Every health warning shall mandatorily include a pictorial depiction of skull and bones sign in white on a black background (black) with white outlines. This sign shall be prominently placed on the top left hand corner of the warning Health Warning.—The warning "Smoking Kills" (on smoking forms of tobacco products) and "Tobacco smokeless/chewing and other forms of tobacco products) shall appear in white font colour on a red background (consisting of 100% magenta 100% yellow) Pictorial Representation of ill effects of tobacco use.—Pictorial depiction of (the ill effects of tobacco use on health. shall be placed below the "skull and bones sign, and should appear in colour exactly as in the soft copy provided in the CD accompanying these rules, Health Message—Every specified health warning shall include the health message in black font colour on a white background. The health message should be printed in easy to read black font on a white background and the font type/font size shall be, exactly as per soft copy provided along with these rules. The specified health warnings are (1) (2) For smoking forms of tobacco packs (a) Tobacco kills 2500 Indians everyday SMOKING KILLS (b) Your smoking kills babies Your smoking Dames For chewing/smokeless forms of tobacco packages: (a) Tobacco causes slow and painful death TOBACCO KILLS Tobacco causes Death (b) Note: 3

4. Tobacco causes cancer TOBACCO KILLS cancer These rules are accompanied by a CD that contains a soft copy of these health warnings. in Joint Photographic Experts Group (JPEG) format, for inclusion in printing of tobacco product packages. Minimum size of the specified health warning (1) The minimum size of the specified health warning on each panel of the tobacco pack shall be 3.5 cm x 4 cm to ensure that the warning is legible and prominent. (2) The size of all components of the specified health warning shall be increased proportionately according to increase of the package size to ensure that the specified health warning occupies per cent of the principal display area/s of the pack. Language.—Each health warning and health message has been specified in English and regional languages. Appropriate language combination should be selected from the combination provided in the CD to ensure that the language/s selected for health warning and health message are in conformity with the language/s used on the pack by the manufacturer. Where more than one language is used on the pack, the specified health warning and language/s Provided that not more than two languages shall be used on the pack must be ensured that the colour, intensity, clarity and size of all the components of the specified health warning are not tampered with. White printing subject to sub-paragraph (2) of paragraph 3 of this Schedule. IF- No, P-160 1/07/2005-PHI BHAVANI THYAGARAJAN, JI P n nised by the India Press. Road Yavapuri. New Delhi-110064 and Published by him. • Controller of Publications. New Delhi-110054