

CIGARETTES AND OTHER TOBACCO PRODUCTS (PACKAGING AND LABELLING) RULES, 2008

q«c-33004/99 REGD. NO. D. L.-33004/99 Che Gazette of •tidia 1171 No. 1171 EXTRAORDINARY PART 11—Section 3—Sub-section (i) PUBLISHED BY AUTHORIPIW 15, 25, 1929 NEW DELHI, SATURDAY, MARCH 15, 2008/PHALGUNA 25, 1929 15 2008 vfÄ5T.fi. 2003 (2003 34) (1), (2), 10 31 (*fill 2006 fq*z (*fi1T 2008 i afifaqq 2003 I (ii) 986 GI/2008 (iii) f4FTR 37fqy-ff -t I (l) ftqtZ a-fi (1) 2 THE GAZETTE OF INDIA : EXTRAORDINARY [PARI 11 SEC. 3(i)] z-qz:âTT 3-TZ((q) I 3qQFT , Ad@T", VI-qi -äqtq.-a-r 3T2.ßT I 4. faffiz -€-äut -Gt z-*, fiqffr7 12 -eat-q i" (100 + 100 Gi-4) I 3FafiZ (ii) (iii) (iv) 3 for pouch type packages, the entire surface area of the pack that may be displayed or visible under normal conditions of sale or use; 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; 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. Manner of packing and Every person engaged directly or indirectly in the production, supply, import or distribution of cigarette or any other tobacco product shall ensure that:

æi.#16011/07/2005-i MNISTRY OF HEALTH AND FAMILY WELFARE (Department of Health) NOTIFICATION New Delhi, the 15th March, 2008 G.S.R. 182(E).— In exercise of the powers conferred by sub-section (l) of Section 7, sub-section (2) of Section 8, Section 10 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), and in supersession of the Cigarettes and other Tobacco Products (Packaging and Labelling) Rules, 2006, except as respects things done or omitted to be done before such supersession the Central Government hereby makes the following rules, namely : 1. Short title and Commencement.—These Rules may be called the Cigarettes and other Tobacco Products (Packaging and Labelling) Rules, 2008 and they shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint. In these rules, unless the context 2. Definitions. otherwise requires: (a) "Act" means the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003; (b) "package" means box, pouch, conical, cylindrical or any other type of pack used for packing cigarette and other tobacco products. (c) "principal display area" means: (D for box type packages, two equal sized largest surface area of the box that may be displayed or visible under normal or customary conditions of sale or use; (a) (b) (c) (d) (f) (g) every package of cigarette or any other tobacco product shall have the specified health warning exactly as specified in the Schedule to these rules; the specified health warnings shall occupy at least forty per cent (40%) of the principal display area 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: Provided that for conical packs, the widest 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; none of the elements of the specified warning are severed, covered or hidden in any manner when the package is sealed or opened; no messages that directly or indirectly promote a specific tobacco brand or tobacco usage in general are inscribed on the tobacco product package; 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 consumer use or retail sale, as well as any other external packaging, such as cartons or boxes; the specified warnings shall be inscribed i_n the language 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; no tobacco product package or label shall contain any information that is false, or deceptive, or that is likely or intended to create an erroneous impression about the characteristics, 4 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. health effects, or health or other hazards of the tobacco product or its emissions. 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", "ulü•a light", "mild", "ultra mild", "low tar", "slim", "safer", or similar words or descriptors; any graphics associated with, or likely or intended to

be associated with, such words or descriptors; and any product package design characteristics, associated with, 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 twelve months from the date of notification of the rules or earlier as specified by the Central Government. SCHEDULE (See rule 3) 1. Components of specified health warning.—The components for the specified health warning shall include (1) Health warning "Smoking Kills" (on smoking forms of tobacco products) and "Tobacco Kills" (on smokeless or chewing and other forms of tobacco products) shall appear in white font colour on a red background (consisting of 100% magenta + 100% yellow). (2) Pictorial representation of ill effects of tobacco use.—Pictorial depiction of the ill effects of tobacco use on health, shall be placed below the health warning and should appear in colour exactly as in the soft copy provided in the Compact Disk CD accompanying these rules. (3) 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 or the font size shall be, exactly as per the soft copy provided in the CD along with these rules

2. The specified health warnings are—(1) For smoking forms of tobacco packs SMOKING Töäü SMOKING KILLS Teb•cct (2) For chewing or smokeless forms of tobacco packages: TOBACCO KILIS Tobacco Note:—These rules are accompanied by a CD that contains a son copy of these health warnings, for inclusion in printing of tobacco product packages

3. Size of the specified health warning.—(1) The size of the specified health warning on each panel of the tobacco pack shall ensure that the warning is legible and prominent. (2) The size of all components of the specified health warning shall be increased proportionally according to increase of the package size to ensure that the specified health warning occupies forty 40% (per cent) of the principal display area of the pack

4. 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 selected for health warning and health message are in conformity with the language used on the pack by the manufacturer. Where more than one language is used on the pack, the specified health warning and health message shall be given separately in each of the language. Provided that not more than two languages shall be used on the pack

5. Printing.—Subject to sub-paragraph (2) of paragraph 3 of this Schedule, while printing, it must be ensured that the colour, intensity and clarity of all the components of the specified health warning are not tampered with. [F. No. P-1601 1/07/2005-PH] PRAVIR KRISHN Jt. secy. Printed by the Manager, Govt. of india Press, Ring Road, Mayapuri, New Delhi-11 0064 and Published by the Controller of Publications, Delhi-110054