

SUBSIDIARY LEGISLATION 315.01

**LABELLING OF TOBACCO PRODUCTS
REGULATIONS**

1st May, 2004

LEGAL NOTICE 202 of 2004, as amended by Legal Notices 298 and 379 of 2004.

1. The title of these regulations is the Labelling of Tobacco Products Regulations. Title.

2. In these regulations: Interpretation.

"ingredient" means any substance or any constituent except for tobacco leaf and other natural or unprocessed tobacco plant parts used in the manufacture or preparation of a tobacco product and still present in the finished product, even if in altered form, including paper, filter, inks and adhesives;

"ISO 4387" means the latest edition of the International Standard entitled Cigarettes Determination of total and dry particulate matter using a routine analytical cigarette-smoking machine-Glass fibre filter-smoking trap method ISO 4387:1987 (E) first edition published by the International Organisation for Standardisation on 15th April, 1987;

"most visible surface", in relation to a rectangular cigarette packet, means that surface of the packet which is, or is equal in area to, the largest surface and -

- (a) either faces a person opening that packet,
- (b) or where no such surface faces a person opening the packet, carries most prominently the name, trade-mark or other distinguishing mark of the brand of cigarettes,

and in relation to other cigarette packets, the phrase means the most conspicuous surface;

"nicotine" means nicotinic alkaloids;

"packet", in relation to a tobacco product, means any box, package, container or other receptacle which contains the product, and in which the product is, or is intended to be, presented for retail, excluding any additional outer wrapping (whether or not transparent) which may be discarded on opening, and where any such receptacle is or is to be contained in another such receptacle (excluding such outer wrapping), includes each such receptacle;

"Superintendent" means the Superintendent of Public Health;

"tar" means the raw anhydrous nicotine-free condensate of smoke.

3. The tar, nicotine and carbon monoxide yields of cigarettes shall be printed in the following manner on one side of the packet covering at least 10% of the corresponding surface: Tar, nicotine and carbon monoxide yields.

- (a) as to the tar yield, to be shown as a figure rounded to the nearest whole number and expressed in milligrams in the form "x mg tar/qatran",
- (b) as to the nicotine yield, to be shown as a figure rounded to one decimal place and expressed in milligrams in the form "y.z mg nicotine/nikotina", and
- (c) as to carbon monoxide, to be shown as a figure rounded to the nearest whole number and expressed in milligrams in the form "x mg carbon monoxide".

Warnings on
packets.
Amended by:
L.N. 379 of 2004.

4. (1) Each unit of tobacco product, shall carry one of the general warnings in English and Maltese "Smoking seriously harms you and others around you", "It-Tipjip jagħmel hsara lilek u lil ta' madwarek" and "Smoking Kills", " It-Tipjip Joqtol":

Provided that units of tobacco products sold from shops at a sea or air passenger terminal shall carry one of the general warnings in either the Maltese or English language.

(2) Such two general warnings shall be printed on the most visible surface of the packet and on any outside packaging, and shall be rotated in such a way as to guarantee its regular appearance on the packet.

(3) An additional warning, taken from the Schedule to these regulations, shall be printed on the other most visible surface of the packet and on any outside packaging, and it shall be rotated in such manner as to guarantee its regular appearance.

(4) The printing of warnings shall not be required on additional transparent wrappers used in the retail sale of the product.

(5) There shall also be a reference to be printed, outside the box for warnings, in the following manner:

DANGER - Health Department Warning

Twissija mid-Dipartiment tas-Sahħa - PERIKLU

Area to be covered
on cigarette
packets.
Substituted by:
L.N. 298 of 2004.

5. (1) The general warning mentioned in regulation 4 shall cover not less than 32% of the external area of the corresponding surface of the unit packet of tobacco on which the warning is printed.

(2) The additional warning mentioned in regulation 4 shall cover not less than 45% of the external area of the corresponding surface of the unit packet of tobacco on which the warning is printed:

Provided that in the case of unit packets of products other than cigarettes, where the most visible surface exceeds 75 cm², the warnings shall cover an area of at least 24 cm².

Warning and yield
indications.

6. (1) The warnings and the yield indications shall be -

- (a) printed in black Helvetica bold type, font size 20, on a white background;
- (b) in lower case type, except for the first letter of the message and where required by grammar usage;

- (c) centered in the area in which the text is required to be printed, parallel to the top edge of the packet; and
- (d) surrounded by a black border not less than 3mm and not more than 4mm in width, provided that such border shall not interfere in any way with the text of the warning or the information given.

(2) The text shall be printed in an irremovable and indelible manner, and shall in no way be hidden, obscured or interrupted by any written or pictorial matter or by the opening of the packet:

Provided that in the case of tobacco products other than cigarettes, the texts may be affixed by means of irremovable stickers.

7. Each unit of tobacco product shall have an identifiable batch number or it. Identifiable batch number.

8. (1) No texts, names, trade-marks and figurative or other signs may be used on the packaging of a tobacco product in order to suggest that that particular product is less harmful than others. Qualificative labelling of tobacco products.

(2) It shall be an offence to label any tobacco product as "light" or "mild".

9. Manufacturers and importers shall at the end of each year submit to the Superintendent a list of all ingredients, in descending order of weight, used in the manufacture of those tobacco products by brand name and type. This list shall - List of ingredients.

- (a) be accompanied by a statement setting out the reasons for the inclusion of such ingredients in those tobacco products;
- (b) indicate their function and category;
- (c) be accompanied by toxicological data available to the manufacturer or importer regarding those ingredients in burnt or unburnt form as appropriate, referring in particular to their effects on health and taking into account any addictive effects.

10. It shall be the duty of the Superintendent to inform the public as to the tar, nicotine and carbon monoxide yields of cigarettes. Superintendent to inform public.

11. It shall be an offence to place on the market tobacco for oral use. Tobacco for oral use prohibited.

SCHEDULE

Regulation 4(3)

List of Additional Health Warnings

1. Smokers die younger
Min ipejjep imut żghir
 2. Smoking clogs the arteries and causes heart attacks and strokes
It-tipjip isodd l-arterji u jġib l-attakki tal-qalb u l-puplesiji
 3. Smoking causes fatal lung cancer
It-tipjip jagħmel kanċer fil-pulmun
 4. Smoking when pregnant harms your baby
Jekk tpejjep waqt it-tqala tagħmel hsara lit-tarbija tiegħek
 5. Protect children: don't make them breathe your smoke
Ipprotegi lit-tfal: iġġelhomx jibilghu id-duhhan tas-sigaretta tiegħek
 6. Your doctor or your pharmacist can help you stop smoking
It-tabib jew l-ispizjar jgħinuk biex tieqaf tpejjep
 7. Smoking is highly addictive, don't start.
It-tipjip huwa vizzju, tibdiex tpejjep
 8. Stopping smoking reduces the risk of fatal heart and lung diseases
Jekk tieqaf tpejjep tnaqqas ir-riskju ta' attakki tal-qalb u mard tal-pulmun
 9. Smoking can cause a slow and painful death
It-tipjip jista' jwassal għal agunija fit-tul u hafna ugiġ
 10. Get help to stop smoking - 21231247
Itlob l-għajnuna biex tieqaf tpejjep - 21231247
 11. Smoking may reduce the blood flow and causes impotence
It-tipjip inaqqas iċ-ċirkolazzjoni tad-demm u jista' jwassal għall-impotenza
 12. Smoking causes ageing of the skin
It-tipjip ikemmixlek il-ġilda
 13. Smoking can damage the sperm and decreases fertility
It-tipjip jista' jagħmel hsara lill-isperma u jnaqqas il-fertilità
 14. Smoke contains benzene, nitrosamines, formaldehyde and hydrogen cyanide
Id-duhhan fih il-benzene, in-nitrosamines, il-formaldehide u l-hydrogen cyanide.
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