

ISRAEL

RESTRICTIONS ON ADVERTISING AND MARKETING OF TOBACCO PRODUCTS FOR SMOKING ORDER (CHANGE OF WORDING OF WARNINGS), 5763-2002¹

By virtue of the powers vested in me by Article 9(c) of the Restrictions on Advertising of Tobacco Products for Smoking Law, 5743-1983 (hereafter — the Law) and with the approval of the Economics Committee of the Knesset, I hereby order that:

1. Change of Wording of Warning [amended 2003, 2004]

Instead of the wording as specified in Article 9(a) of the Law, the warning shall be –

- (1) for the purpose of Article 4(b) of the Law: “Cigarettes cause disease and premature death.”;
- (2) for the purpose of Article 7 of the Law, one of the versions in the list in Appendix 1 (hereafter — the List), which shall be replaced every two months by the next version in the List.
- (3) for the purposes of Article 9(a) of the Law, one of the versions in Appendix 2; the versions are to be exchanged so that all appear regularly and with equal frequency on packets of the same brand; for the purposes of this paragraph, ‘with equal frequency’ shall be deemed as the appearance of each version on from 6.33% to 10.33% of packets of the same brand from the same manufacturer; with regard to tobacco products manufactured in Israel, this shall be upon completion of production at the manufacturer’s plant; with regard to imported products, this shall be at the importer’s warehouse.
- (4) The contents of Paragraph (3) notwithstanding, the outer packaging of a retail tobacco product containing a number of packets, each of them labeled in conformity with this Order, shall carry the warning “Smoking Kills”

2. Change of Minimum Size of Letters [amended 2003]

The size of the letters of the word ‘warning’ in the wording laid down by the Law shall be replaced, for the purpose of Articles 4(b) and 7 of the Law, by letters printed in the font “*Ha'im Shamen*” and the other words in the warning shall be printed in the font “*Ha'im Tzar*”. The total area of the warning shall take up at least 5 per cent of the area of the advertisement with the lettering of the warning occupying all this area, except for a thin white border around the lettering. In warnings including the words ‘Ministry of Health’, these words shall be printed in letters smaller than the other letters in the warning.

3. Design [amended 2004]

- (a) The warning for the purposes of Articles 4(b) and 7 of the Act shall be printed on one line, in black letters on a white background, and framed with a black line of the same thickness as the letters of the warning printed in the font, *Ha'im Shamen*.

- (b) The warning for the purposes of Article 9(a) of the Act:
- (1) shall be designed as specified in Appendix 2, including proportions of the design, although as to the shade of red, the importer or manufacturer may use another shade than that used in the said Appendix if he presents the shade which he wishes to use to the Director, as defined in Article 6, and the Director does not notify the importer or manufacturer of his objection within 30 days from the day of the presentation;
 - (2) shall be 30% of the area of each of the two main surfaces of the tobacco product packet.
- (c) Notwithstanding the aforesaid in clause (b), the importer or manufacturer is entitled to adjust the warning to the dimensions of the package, instead of adjusting the warning to the proportions which appear in item 1(a) of the second appendix, on condition that the Director approved in advance that the warning complies with the following conditions:
- (1) the size of the area of the warning is 32% of the area of each of the two principle sides of the package;
 - (2) the size of the letters and the markings within the border as in item 1(a) of the second appendix is adjusted to the height of the border while maintaining the internal proportions between the letters, between themselves, and between the markings.

4. Attribution of the Warning [amended 2004]

For the purpose of warnings in the List or Appendix 2 which do not include the words ‘Ministry of Health’, the advertiser may include in the advertisement, outside the framed area, the words ‘This warning is required by law’.

4a. Placement of the Warning for the purposes of Article 9(a) of the Act [added 2004]

The warning for the purposes of Article 9(a) of the Act shall appear on the lower part of the front and rear surfaces of a cigarette packet and every other packet of a retail tobacco product for smoking, the front surface carrying the warning in Hebrew and the rear surface carrying the warning in Arabic.

5. Date of Commencement²

The provisions of this Order shall come in to effect 45 days from the date of its publication.

6. Transitional Provisions²

Importers and exporters of tobacco products shall inform the Director-General of the Ministry of Health or whoever he authorizes for this purpose, (hereafter — the Director-General) of the brand name of every tobacco product they advertise; within two weeks from receipt of this information, the Director-General shall decide with respect to each brand name which version of the warning it shall first carry for the purposes of Paragraph 1, and this version shall be replaced after the interval duly laid down for it.

APPENDIX 1

(Paragraph 1)

LIST OF WARNINGS³

1. Medical research has determined that cigarette smoke damages your children's health.
2. Cigarettes harm your physical fitness
Ministry of Health.
3. Each cigarette delivers 43 carcinogens into your body.
Ministry of Health.
4. Cigarettes cause disease and premature death.
5. Medical research has determined that smoking during pregnancy puts your fetus at risk.
6. Medical research has determined that smoking causes impotence.
7. Medical research has determined that cigarette smoking is addictive.
8. Your smoking harms those close to you.
Ministry of Health.
9. Smoking causes premature ageing of facial skin.
Ministry of Health.
10. Medical research has determined that the children of smoking parents suffer more from asthma.
11. Medical research has determined that 85% of all cases of lung cancer are caused by smoking.
12. Cigarettes cause strokes and heart disease.
Ministry of Health.
13. Medical research has determined that 75% of heart attacks before the age of 45 are among smokers.

APPENDIX 2

(Paragraphs 1(3) and 3(b))

1. (a) Warnings for the purposes of Article 9(a) of the Act, as aforesaid in Paragraph 1(3) and 1(4) of the Order, shall appear as set out below⁴.

מכרז מכני Specifications

Hebrew Sample



תצורה בעברית

Colors



Red



Black

מבודת צבעים
Color Separation

צבעים

	FRONT	BACK	FRONT	BACK
1				
2				
3				
4				
5				
6				

The Warnings

האזהרות

for Boxes

האזהרה על הקרטונים




2. Colors

- (a) **For printing by the Pantone (Spot) method: Process Black CV, Warm Red CV**
- (b) **For printing by the Process (Spot) method: Process Black 100M + 100Y**
- (c) **For printing by any other method the shades of black and red shall be equivalent to the abovementioned shades.**
- (d) **The background shall be white.**

3. Fonts

The graphic design and accompanying instructions may be obtained from the Ministry of Health on FreeHand software, with the Hebrew and Arabic text converted to path.

¹ Unofficial translation, as amended 2004

² The warnings appear in the original text in both Hebrew and Arabic.

³ The Commencement and Transitional Provisions above refer to the original order. For the purposes of the 2004 amendment the Commencement and Transitional Provisions are as follows:

- (a) This Order shall come into effect eight months after the date of its publication (hereafter — commencement date)
- (b) Tobacco products manufactured in Israel or imported into Israel, as the case may be, before the commencement date may be marketed for six months after the commencement date.
- (c) Manufacturers and importers may use a warning specified in Paragraph 1(3) or 1(4) before the commencement date.

⁴ The text of the warnings in Appendix 2, as displayed here with the graphic design in Hebrew and Arabic, has not been translated. The warnings in this text are identical to those in Appendix 1, except for two warnings which have been combined into one ('Medical research has determined that cigarette smoke damages your children's health' and 'Your smoking harms those close to you.' combined as 'Smoking cigarettes harms the health of your children and those close to you.')