



STATUTORY INSTRUMENTS.

S.I. No. 422 of 2017



PUBLIC HEALTH (STANDARDISED PACKAGING OF TOBACCO)
REGULATIONS 2017

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I, CATHERINE BYRNE, Minister of State at the Department of Health, in exercise of the powers conferred on me by section 3 of the Public Health (Standardised Packaging of Tobacco) Act 2015 (No. 4 of 2015) and the Health (Delegation of Ministerial Functions) (No. 4) Order 2017 (S.I. No. 339 of 2017), hereby make the following regulations:

1. These Regulations may be cited as the Public Health (Standardised Packaging of Tobacco) Regulations 2017.

2. These Regulations shall come into operation on 30 September 2017.

3. Subject to section 6 of the Act of 2015, these Regulations shall apply to tobacco products that are intended for sale by retail in the State.

4. In these Regulations—

“Act of 2015” means the Public Health (Standardised Packaging of Tobacco) Act 2015 (No. 4 of 2015);

“Act of 2017” means the Health (Miscellaneous Provisions) Act 2017 (No. 1 of 2017).

Prescribed colours

5. Pantone reference 448C is prescribed as the colour for the purposes of sections 7(1)(a), 9(1)(a) and 10(1)(a) of the Act of 2015.

6. Pantone reference 448C or white with a matt finish is prescribed as a colour for the purposes of sections 7(1)(b), 9(1)(b) and 10(1)(b) of the Act of 2015.

Brand name, business name, company name or variant name

7. A name referred to in sections 7(3) (amended by section 13 of the Act of 2017), 9(3) (amended by section 14 of the Act of 2017) and 10(3) (amended by section 15 of the Act of 2017) of the Act of 2015 shall—

(a) be alphabetic, numeric or an ampersand,

(b) appear as text such that the first letter of any word is in upper-case or lower-case type,

(c) appear as text such that the rest of any word is in lower-case type,

(d) be printed in Helvetica type,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd October, 2017.*

- (e) be printed in normal, weighted, regular typeface,
- (f) be in colour Pantone reference Cool Gray 2C with a matt finish,
- (g) be such that the brand name, business name or company name does not exceed one line,
- (h) be such that the variant name does not exceed one line,
- (i) be such that the variant name appears immediately below the brand name, business name or company name and has the same orientation as such name,
- (j) be no larger than 14 point as regards the size of the brand name, business name or company name,
- (k) be no larger than 10 point as regards the variant name,
- (l) have the brand name, business name or company name and variant name located at the centre of any surface of the cigarette packet or, where such a surface contains a health warning, at the centre of the area of surface not taken up by the health warning, and
- (m) have text located on any surface which contains a health warning orientated in accordance with that warning.

Brand name, business name, company name or variant name on cigarettes

8. A name referred to in section 8(2) of the Act of 2015 shall—

- (a) be alphabetic, numeric or an ampersand,
- (b) appear as text such that the first letter of any word is in upper-case or lower-case type,
- (c) appear as text such that the rest of any word is in lower-case type,
- (d) be parallel to and not more than 38 millimetres from the end of the cigarette that is not intended to be lit,
- (e) be printed in Helvetica type,
- (f) be printed in normal, weighted, regular typeface,
- (g) be in colour black with a matt finish,
- (h) be no larger than 8 point, and
- (i) appear once.

Text which states number of cigarettes and text which states “cigarettes”

9. The text stating the number of cigarettes contained in a cigarette packet, referred to in section 7(3)(c) (amended by section 13 of the Act of 2017) of the

Act of 2015, and the text “cigarettes”, referred to in section 7(3)(d) (amended by section 13 of the Act of 2017) of the Act of 2015, shall—

- (a) express the number in numeric characters,
- (b) have the first letter of the text “cigarettes” in upper-case or lower-case type,
- (c) have the rest of the text in lower-case type,
- (d) be printed in Helvetica type,
- (e) be printed in normal, weighted, regular typeface,
- (f) be in colour Pantone reference Cool Gray 2C with a matt finish,
- (g) in the case of a cigarette packet, be no larger than 10 point,
- (h) in the case of any other form of outside packaging of cigarettes, be no larger than 14 point,
- (i) appear once, and
- (j) if located on any surface which contains a health warning, be orientated in accordance with that warning.

Text which states weight of tobacco and text which states “roll-your-own tobacco”

10. The text stating the weight of tobacco in grams contained in a unit packet of roll-your-own tobacco, referred to in section 9(3)(c) (amended by section 14 of the Act of 2017) of the Act of 2015, and the text “roll-your-own tobacco”, referred to in section 9(3)(d) (amended by section 14 of the Act of 2017) of the Act of 2015, shall—

- (a) express the weight of tobacco in numeric characters followed by the letter “g”,
- (b) have the first letter of any of the text “roll-your-own tobacco” in upper-case or lower-case type,
- (c) have the rest of any text in lower-case type,
- (d) be printed in Helvetica type,
- (e) be printed in normal, weighted, regular typeface,
- (f) be in colour Pantone reference Cool Gray 2C with a matt finish,
- (g) in the case of a unit packet, be no larger than 10 point,
- (h) in the case of any other form of outside packaging of roll-your-own tobacco, be no larger than 14 point,

- (i) appear once, and
- (j) if located on any surface which contains a health warning, be orientated in accordance with that warning.

Text which states number or weight of the tobacco product and text which states “cigars”, “cigarillos” or “pipe tobacco”

11. The text which states the number of, or weight in grams of, the tobacco product, referred to in section 10(3)(c) (amended by section 15 of the Act of 2017) of the Act of 2015, and the text “cigars”, “cigarillos” or “pipe tobacco”, referred to in section 10(3)(d) (amended by section 15 of the Act of 2017) of the Act of 2015, shall—

- (a) express the weight of tobacco in numeric characters followed by the letter “g”,
- (b) express the number of tobacco products in numeric characters,
- (c) have the first letter of any of the text “cigars”, “cigarillos” or “pipe tobacco” in upper-case or lower-case type,
- (d) have the rest of any text in lower-case type,
- (e) be printed in Helvetica type,
- (f) be printed in normal, weighted, regular typeface,
- (g) be in colour Pantone reference Cool Gray 2C with a matt finish,
- (h) in the case of a unit packet, be no larger than 10 point,
- (i) in the case of any other form of outside packaging, be no larger than 14 point,
- (j) appear once, and
- (k) if located on any surface which contains a health warning, be orientated in accordance with that warning.

Cigar bands

12. (1) A cigar band referred to in section 10(9)(b) (amended by section 15 of the Act of 2017) of the Act of 2015 may be adhesive only if it covers the existing cigar band completely and is fastened firmly so as not to be easily removed.

(2) A cigar band referred to in paragraph (1) may contain text indicating the country of origin if—

- (a) the text is alphabetic, numeric or an ampersand,
- (b) the first letter of any text is in upper-case or lower-case type,

- (c) the rest of any text is in lower-case type,
- (d) the text is printed in Helvetica type,
- (e) the text is printed in normal, weighted, regular typeface,
- (f) the colour of the text is Pantone reference Cool Gray 2C with a matt finish,
- (g) the size of the text is no larger than 10 point, and
- (h) the text appears once.

Contact details of manufacturer

13. (1) Subject to paragraph (2), text indicating the contact details of the manufacturer under sections 7(3)(e) (amended by section 13 of the Act of 2017), 9(3)(e) (amended by section 14 of the Act of 2017) and 10(3)(e) (amended by section 15 of the Act of 2017) of the Act of 2015 may appear once on the inner or outer surface of the retail packaging and may include:

- (a) the name of the manufacturer;
 - (b) the address of the manufacturer;
 - (c) the e-mail address of the manufacturer;
 - (d) the telephone number of the manufacturer.
- (2) The contact details referred to in paragraph (1), in relation to the text—
- (a) shall be alphabetic, numeric or an ampersand or, in the case of an e-mail address, an “@” sign,
 - (b) shall be such that the first letter of any text is in upper-case or lower-case type,
 - (c) shall be such that the rest of any text is in lower-case type,
 - (d) shall be printed in Helvetica type,
 - (e) shall be printed in normal, weighted, regular typeface,
 - (f) shall be in colour Pantone reference Cool Gray 2C with a matt finish,
 - (g) shall be such that the size of the text is no larger than 10 point,
 - (h) if located on any surface which contains a health warning, shall be orientated in accordance with that warning,
 - (i) shall not appear on the front surface of the unit packet or outside packaging, and
 - (j) shall appear once.

Bar-code or other similar identification mark

14. (1) A bar-code or other similar identification mark referred to in sections 7(5), 9(5) and 10(5) of the Act of 2015—

- (a) shall be either—
 - (i) black and white, or
 - (ii) Pantone reference 448C and white,
- (b) shall not form a picture, pattern, image or symbol that could be construed as anything other than a bar-code or other similar identification mark,
- (c) shall appear once, and
- (d) shall not appear on the front outer surface of the retail packaging of the tobacco products.

(2) A bar-code or other similar identification mark referred to in paragraph (1) may take the form of an adhesive label if it does not obscure the health warnings or such other items as are provided for by law.

Tear-strip

15. (1) A tear-strip contained in a wrapper and referred to in sections 7(8)(d), 9(8)(d) and 10(7)(d) of the Act of 2015 shall be—

- (a) either—
 - (i) clear and transparent, unmarked and not coloured, or
 - (ii) black,
- (b) a continuous, straight line of constant width which does not exceed 3 millimetres, and
- (c) parallel to any straight edge of the packet enclosed by the wrapper.

(2) A tear-strip referred to in paragraph (1) may include a single, solid, black line which is no more than 15 millimetres in length with the sole purpose of indicating where the tear-strip begins.

Lining

16. (1) Where a unit packet of cigarettes, roll-your-own tobacco or any other tobacco product contains a lining referred to in section 11 of the Act of 2015, that lining shall be—

- (a) silver coloured foil with a white backing in respect of retail packaging of cigarettes, or
- (b) white or the colour of the packaging material in its natural state in respect of retail packaging of tobacco products other than cigarettes.

(2) There shall be no variation in the tone or shade of the lining referred to in paragraph (1).

(3) The lining referred to in paragraph (1) may be textured with small embossed dots or squares where the texture is required for the purpose of the automated manufacture of the lining or the packing of cigarettes into the packet.

(4) If the lining contains dots and squares as referred to in paragraph (3), those dots or squares shall—

- (a) be equidistant from each other,
- (b) be uniform in size, and
- (c) not form an image, picture, pattern or symbol.

GIVEN under my hand,
29 September 2017.

CATHERINE BYRNE,
Minister of State at the Department of Health.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations are made under Section 3 of the Public Health (Standardised Packaging of Tobacco) Act 2015 (No. 4 of 2015). The Regulations prescribe the colours in relation to retail packaging of tobacco products, prescribe the form, colour, content and positioning of any permitted text, prescribe the form, colour and positioning of any bar-code or identification mark and any tear-strips and prescribe the form and colour of any lining contained in the retail packaging of tobacco products.

These Regulations may be cited as the Public Health (Standardised Packaging of Tobacco) Regulations 2017 and come into operation on 30th September, 2017.

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