



18 May 2015

(15-2553)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>NORWAY</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Ministry of Health and Care Services Dept. of Public Health P.O. Box 8011 DEP0030 Oslo Norway Telephone: +47 22 24 87 01 E-mail: postmottak@hod.dep.no Website: http://www.hod.dep.no Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Tobacco products and tobacco packaging (HS: 24.02)
5. Title, number of pages and language(s) of the notified document: Draft amendments to the Tobacco Control Act and the Tobacco Labelling Regulations relating to Standardised Tobacco Products (72 pages, in English)
6. Description of content: The Ministry proposes the introduction of standardised tobacco packaging in Norway. This proposal will apply to all types of tobacco products. Standardised tobacco packaging involves a uniform layout and design on all tobacco packaging, as well as a ban on manufacturers' logos, trademarks, images, colours or other forms of advertising. Packaging shall only have one solid colour, and some of the products will be required to have specific packaging materials. Brand names and variant names, as well as manufacturer information, shall have standardised colour, placement, font and size. The Ministry also proposes standardisation of other elements such as barcodes, packing material, etc. The packaging shall retain the mandatory health warnings and other information in accordance with current legislation. The Ministry furthermore proposes that the design of tobacco products and smoking accessories should be standardised to a certain extent, including the colour of the cigarette paper and snus portions, as well as the specification of brand names and variant names. A legal basis for standardising the packaging of tobacco surrogates is also proposed, but specific regulations are not proposed at this time. Tobacco surrogates include herbal cigarettes and herbal snus, among others.

7. Objective and rationale, including the nature of urgent problems where applicable: The overarching vision of the National tobacco control strategy for the period 2013–2016 is a long-term goal of making Norway a tobacco free society. Despite significant progress in the area of tobacco control in Norway, smoking continues to be the single largest preventable cause of premature death and poor health. Snus also has harmful effects on health, and its use has increased over the past few years, especially among young people. A significant decline in the number of tobacco users is therefore the most important measure for improving public health.

The Ministry finds it unacceptable that such a high number of children and young people begin using tobacco. If we are to achieve our goal of a tobacco-free generation, and in the long term, a tobacco-free society, it is absolutely essential to limit the appeal of tobacco products to children and young people.

The overarching objective of the proposal is to reduce the number of children and youngsters who begin smoking and using snus, in order to protect them from the harmful effects of tobacco use. More specifically the objective is to make tobacco products less appealing by limiting the advertising effect of the packaging, increasing the impact of the mandatory health warnings, as well as minimising the risk that the packaging design gives misleading information about the harmful health effects of tobacco. It is assumed that the measure will also contribute toward a moderate reduction in the use of tobacco among adults by helping people to quit smoking and using snus, and by helping to prevent relapse among those who have quit. It will also have the effect of denormalising tobacco products and tobacco use.

Research has shown that packaging design may give the false impression that tobacco products are less harmful to one's health than is actually the case, especially to young people. In the preamble of the new EU Directive, point 27 states that certain types of tobacco packaging may give the impression that the product purports benefits in terms of weight loss, sex appeal, social status, or qualities such as femininity, masculinity or elegance. The packaging is designed to make the use of tobacco appear more attractive and appealing, especially among young people, and reduces the impact of the health warnings. Furthermore, it is well known that the appearance of various brands may have some importance as identity markers. It is therefore the opinion of the Ministry that standardised appearance and design of tobacco packaging may be a useful and effective preventative measure, especially with regard to young people.

The proposal will contribute toward fulfilling Norway's obligations as a party to the FCTC.

8. Relevant documents:

- Consultation paper, including draft amendments to the Tobacco Control Act and the Tobacco Labelling Regulations (attached)
- Current Tobacco Control Act: <https://www.regjeringen.no/en/topics/health-and-care/public-health/norways-national-strategy-for-tobacco-co/id451948/>
- Current Tobacco Labelling Regulations: https://www.regjeringen.no/contentassets/6f67bc5af27f45ffbc111ec7d74323b3/regulations_on_the_contents_and_labelling_of_tobacco_products.pdf

9. Proposed date of adoption: To be decided

Proposed date of entry into force: To be decided

10. Final date for comments: 90 days from notification

11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:

Ministry of Health and Care Services, as listed above in point 2.

Consultation paper, including draft amendments to the Tobacco Control Act and the Tobacco Labelling Regulations (attached):

https://members.wto.org/cnattachments/2015/TBT/NOR/15_1975_00_e.PDF