

WORLD TRADE ORGANIZATION

G/TBT/N/NZL/62

24 July 2012

(12-4043)

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>NEW ZEALAND</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Ministry of Health PO Box 5013 Wellington New Zealand Email: tobacco@moh.govt.nz Website: http://www.health.govt.nz 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): Chapter 24 - Products containing tobacco. Packaging for sale of any product that contains tobacco, and is manufactured to be used for smoking, sucking, chewing or snuffing; and/or the appearance of any such tobacco product.
5. Title, number of pages and language(s) of the notified document: Proposal to introduce plain packaging of tobacco products in New Zealand: Consultation Document (25 pages, in English).
6. Description of content: The consultation document sets out in general terms the Government's proposal for plain packaging of tobacco products, including a formal statement of its policy objectives. It summarises the rationale for the plain packaging proposal, including how it arises from New Zealand's domestic and international policy commitments for tobacco control; introduces the separate Regulatory Impact Statement that forms an integral part of this consultation; and summarises the international research and evidence base relating to plain packaging. The consultation document also poses a number of consultation questions designed to elicit responses to the key issues.

7.	<p>Objective and rationale, including the nature of urgent problems where applicable: The policy objective of the proposal to introduce plain packaging of tobacco products is to further reduce the ability of the tobacco industry to market tobacco products, and in particular, to prevent tobacco promotion and advertising from occurring on tobacco products and tobacco product packaging, in order to:</p> <ul style="list-style-type: none"> -• reduce the appeal of tobacco products and smoking, particularly for young people; -• reduce the wider social acceptance and approval of smoking and tobacco use; -• increase the noticeability and effectiveness of mandated health warning messages and images; and -• reduce the likelihood that consumers might acquire false perceptions about the harms of tobacco products. <p>Combined with the existing package of tobacco control measures, this specific objective contributes to the broader objective of improving public health by:</p> <ul style="list-style-type: none"> -• discouraging people from taking up smoking, or using tobacco products; -• encouraging people to give up smoking, and to stop using tobacco products; -• discouraging people who have given up smoking, or who have stopped using tobacco products, from relapsing; -• reducing people's exposure to smoke from tobacco products; and -• supporting New Zealand to meet its international commitments and obligations under the WHO Framework Convention on Tobacco Control (FCTC), particularly in relation to the guidelines developed to support implementation of Articles 11 and 13. <p>The purpose of this consultation process is to provide the public, the health sector, non-governmental organisations, business interests and New Zealand's trade partners the opportunity to comment on the proposal, and have their views considered before the Government decides whether or not to proceed. Should the Government decide to proceed with plain packing legislation/regulation following this consultation, the detail of such measures will be notified in accordance with relevant WTO obligations.</p>				
8.	<p>Relevant documents: The consultation document Proposal to introduce plain packaging of tobacco products in New Zealand and the accompanying Regulatory Impact Statement.</p>				
9.	<table border="0"> <tr> <td data-bbox="301 1357 767 1659">Proposed date of adoption:</td> <td data-bbox="767 1357 1396 1659">} Not applicable. The results of this consultation period will inform the Government's decision on whether to proceed with plain packaging of tobacco products. If a decision is made to introduce a plain packaging regime, further notifications would be made, as appropriate, to provide Members the opportunity to comment on the development of detailed regulatory provisions.</td> </tr> <tr> <td data-bbox="301 1659 767 1704">Proposed date of entry into force:</td> <td data-bbox="767 1659 1396 1704">Not applicable.</td> </tr> </table>	Proposed date of adoption:	} Not applicable. The results of this consultation period will inform the Government's decision on whether to proceed with plain packaging of tobacco products. If a decision is made to introduce a plain packaging regime, further notifications would be made, as appropriate, to provide Members the opportunity to comment on the development of detailed regulatory provisions.	Proposed date of entry into force:	Not applicable.
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10.	<p>Final date for comments: 5 October 2012</p>				
11.	<p>Text available from: National enquiry point [X], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:</p> <p>http://www.health.govt.nz/consultation/plainpackaging</p>				