



9 January 2014

(14-0073)

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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>ISRAEL</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2.	Agency responsible: Israel WTO-TBT Enquiry Point 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: Israel WTO-TBT Enquiry Point Ministry of Economy Tel.: + (972) 3 7347502 Fax: + (972) 3 7347626 E-mail: Yael.Friedgut@economy.gov.il
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. Unmanufactured tobacco; tobacco refuse. (HS 2401), Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes. (HS 2402), Other manufactured tobacco and manufactured tobacco substitutes; "homogenized" or "reconstituted" tobacco; tobacco extracts and essences (HS 2403). Tobacco, tobacco products and related equipment (ICS 65.160).
5.	Title, number of pages and language(s) of the notified document: Law on the restriction of advertising and marketing of tobacco products (Amendment no. 7), 5774-2013 (15 pages, in Hebrew).
6.	Description of content: Proposed amendment to legislation announced by Israel's Ministry of Health, entitled "Law on the restriction of advertising and marketing of tobacco products (Amendment no. 7), 5774-2013". The major changes introduced in this amendment include: <ul style="list-style-type: none">• Changes the legislation name from "Restriction on advertising and marketing of tobacco products" to "Prohibition of advertising and restriction on marketing of tobacco and smoking products";• Replaces the term "tobacco products" with "tobacco and smoking products";• Adds new definitions and legislation goals to paragraph 1;• Changes paragraph 3, dealing with the prohibition to advertise by certain means;• Deletes paragraph 4 dealing with restrictions on advertising on billboards;• Adds a new paragraph 4a dealing with restrictions on the display of tobacco and smoking products in businesses;• Changes the requirements of paragraph 5 dealing with restrictions on advertising;• Deletes paragraph 6 dealing that restricted the amount of advertisements in newspapers;• Replaces paragraph 7 dealing with the obligation to include a warning in

<p>advertisements according to the requirements of specific paragraphs; Each advertisement must include a warning or another message in a prominent place, on a white background with a black frame and should cover at least 30% of the advertisement's total area;</p> <ul style="list-style-type: none"> • Replaces paragraph 7a, restricting the use of a brand name or a trademark, with a restriction on the use of a brand name or trade mark on non-tobacco products similar to tobacco or to smoking products. • Changes the requirements of paragraph 8 that prohibits the provision of tobacco and smoking products as gifts; • Changes the requirements of paragraph 8a that prohibits to sell, rent or lend tobacco and smoking products to a minor; • Replaces the requirements of paragraph 9 dealing with the warning; • Changes the requirements of paragraph 9a dealing with the report on the cost of advertising tobacco products ; • Adds a new paragraph 9b dealing with the report on tobacco product ingredients; • Adds a new paragraph 9c dealing with the prohibition to manufacture, import or market flavoured or fragrant tobacco or smoking products; • Adds a new paragraph 9d dealing with the authorization of inspectors; • Adds a new paragraph 9e dealing with inspection; • Adds a new paragraph 9f dealing with inspector identification; • Replaces paragraph 11 dealing with fines; • Adds a new paragraph 11a1 dealing with the responsibilities of functionaries in a corporation; • Deletes paragraph 12 dealing with the responsibilities of advertisers and of the advertising agency's owner; • Changes paragraph 13 attributing advertisements to the manufacturer or the importer; • Changes paragraph 14 dealing with confiscation of products on the packaging of which no warning appears; <p>The entry into force of this new proposed amendment should take place 3 months after publication in Israel's Official Gazette except for the following:</p> <ul style="list-style-type: none"> • Paragraph 1(e)3 "marketing" and paragraph 4a will enter into force 3 years after publication; • Paragraphs 3, 5(a) and 9a will enter into force 1 year after publication; • Paragraph 9 will enter into force 1 year after publication or at the entry into force of the regulations specified in paragraph 9(b); • Paragraph 9c will enter into force 2 years after publication; • Reporting according to the requirements of paragraph 9b will be provided at a later stage. 	
<p>7. Objective and rationale, including the nature of urgent problems where applicable: Protection of Human health or Safety; Prevention of deceptive practices and consumer protection</p>	
<p>8. Relevant documents:</p> <ul style="list-style-type: none"> • Law on the restriction of advertising and marketing of tobacco products, 5743-1983; • Law on the restriction of advertising and marketing of tobacco products (Amendment no. 7), 5774-2013. 	
<p>9. Proposed date of adoption:</p> <p>Proposed date of entry into force:</p>	<p>To be determined</p> <p>3 months after publication in Israel's Official Gazette except for the paragraphs specified in section 6 of this notification.</p>
<p>10. Final date for comments: 60 days from notification</p>	

- 11. 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:**
Restriction on advertising and marketing of tobacco products (Amendment no. 7), 5774-2013 (Hebrew):

<http://www2.moital.gov.il/cmstamat/rsrc/tkina/LawProposal-Tabacoo.pdf>

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