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Order n°2008-491/PR/MS specifying the combined warnings and messages on all packaging of tobacco products.

THE PRESIDENT OF THE REPUBLIC, HEAD OF THE GOVERNMENT

IN LIGHT OF the Constitution of September 15, 1992 ;
IN LIGHT OF Law n°48/YEAR/99/4th L of July 03, 1999 containing Guidance on the policy of Health ;
IN LIGHT OF Law n°106 /YEAR/05/5th L of July 31, 2005 containing ratification of the WHO Framework Convention of the campaign against Tobacco;
IN LIGHT OF Law n°175/YEAR/07/5th L concerning Organization for the Protection of Health against Tobacco Consumption of April 22, 2007 ;
IN LIGHT OF Law n°170/YEAR/07/5th L concerning the responsibilities and the organization of the Ministry of Health ;
IN LIGHT OF Decree n°2008-0093/PRE of April 04, 2008 concerning the responsibilities and the organization of the Ministry of Health ;
IN LIGHT OF Decree n°2008-0083/PRE of May 26, 2008 containing the nomination of the Prime Minister ;
IN LIGHT OF Decree n°2008-0084/PRE of March 27, 2008 containing the nomination of the members of the Government ;

AS proposed by the Minister of Health ;

The Council of Ministers having e its opinion in its session of July 15, 2008

HEREBY ORDERS

Article 1 : As a result of the decree specifying the manner in which statements are to be printed that must appear on the outside covering of packages and wrapping of tobacco products, in application of Article 11 on the regulation of the composition and packaging of tobacco products of Law n°175/YEAR/07/5th L concerning Organization for the Protection of Health against Tobacco Consumption, this order specifies combined health warnings for all packaging of tobacco products placed on the market for human consumption.

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PART I
On required statements

Article 2 : In the application of Article 14 of the decree specifying the manner in which statements are to be printed that must appear on the outside covering of packages and wrapping of tobacco products, the required statements determined by this order concerning the prevention of the ill effects of tobacco use and other message must be printed in indelible lettering in the French and Arabic languages on the outer covering of packs and packaging containing tobacco products. Furthermore, these statements must comply with the following requirements :

- to be printed in legible characters on a contrasting background ;
- the removable external wrapping must be transparent;
- to not be placed on the transparent materials enveloping the packages ;
- to be printed on the transparent material when this constitutes the package of the tobacco product.

Warnings

Article 3 : The warnings reproduced in Annexes A, B, C and D must appear on packaging for tobacco products other than smokeless tobacco.

Article 4 : The additional messages reproduced in Annex D must appear on the lateral surfaces of the packages of tobacco products.

Article 5 : Each package is considered to have two main surfaces.

Article 6 : Warnings must be placed in such a way as to cover 50% of the upper part of each main surface, except for specifically indicated cartons.

Article 7 : For an ordinary pack of 20 cigarettes, and other packages of a similar shape, the most visible main surface is called the front, or recto, the main surface on the other side, the second most visible, is the back.

Article 8 : For a cubical package, the most visible main surface is called the front or recto, the main surface on the other side is the back, the other sides are the lateral surfaces. All of these surfaces are taken into consideration for placement of the warnings.

Article 9 : The warning in French must appear on the main surface that is most visible, and the warning in Arabic must appear on the second most visible surface.

Article 10 : For tobacco products, notably tobacco used in water pipes, warnings must appear on the outer packaging and on the pouch or other internal container of the product, in accordance with the standards set by the regulation.

PART II

Warnings on Cartons

Article 11 : For all cartons, the warning required by Articles 3, 4 or 5, depending on the product, should appear in French on the widest main surface, with the same warning in Arabic on the other side, in such a way that it covers 50% of each one of the surfaces.

Article 12 : For other surfaces of the carton, a warning required by Article 3, Article 4 or Article 5, depending on the product, must appear in such a way as to cover at least 50% of each one of the lateral surfaces, with the warning in French on one side and in Arabic on the other side.

Article 13 : For each carton, warnings must cover the left half of each surface.

PART III Additional Messages

Article 14 : For each package, one of the additional messages reproduced in Annex 4 must appear on the lateral surfaces other than those surfaces containing warnings.

Article 15 : For an ordinary pack of 20 cigarettes, and other packages of a similar shape, the additional message in French must appear on the left side, and the one in Arabic on the right side, pursuant to Annex 4.

Article 16 : Articles 15 and 16 of this order do not apply to cartons or to packages containing smokeless tobacco.

PART IV Rotation

Article 17 : For each 12-month period concluding on December 31st, the warnings in Annexes 1, 2 and 3, as well as the additional messages in Annex 4 must be printed in rotation so that each warning and each additional message appears on an equal number of packages sold to the public for each brand in a family of brands and for each type and size of package.

PART V Quality of Printing

Article 18 : Manufacturers must annually obtain warnings and additional messages from the Ministry of Health, and must reproduce them by electronic imaging derived from the original image that was used by the Ministry of Health to produce the source document.

Article 19 : Warnings and additional messages must be adapted so as to comply with the requirements set forth in this order.

Article 20 : The reproduction of any warning or any Health information must be executed :

- * In colors approaching as closely as possible those used in the warning in question or the Health information in question in the source document;
- * With the greatest possible clarity, taking into account the printing technique used.

Article 21 : Based on the dimensions of the package, and if necessary, the manufacturer may modify the electronic image to a necessary extent and in such a way as to preserve the completeness of the image, providing notification to the Ministry of Health.

PART VI Implementation of this Order

Article 22 : Pursuant to Article 11 of Law n°175/YEAR/07/5th L concerning Organization for the Protection de Health against Tobacco Consumption, warnings and messages will be updated annually in whole or in part by order.

Article 23 : This order becomes applicable when it is signed, and takes effect nine months after its signing for manufacturers, and two months later for retailers.

Article 24 : Inventories of tobacco products whose packages do not adhere to the requirements of this order because they were purchased prior to the signature of this order, may be sold on the domestic market up until July 31, 2009.

Article 25 : The various Ministries are entrusted with the execution of this order, each within the domain that concerns it.

Article 26 : This order shall be recorded and published in the *Journal Officiel de la République de Djibouti* [Official Journal of the Republic of Djibouti].

Issued in Djibouti, July 24, 2008.
The President of the Republic,
Head of the Government
ISMAÏL OMAR GUELLEH

ANNEX A

**LIST 1 OF THREE SERIES OF COMBINED WARNINGS, WHICH MUST
APPEAR ON EACH PACKAGE OF TOBACCO PRODUCTS FOR SMOKING**

AN A-LIST I

[IMAGE]

Smoking can bring about a slow and painful death

Series 1 “© European Community”

AN A-LIST I

[IMAGE]

Smoking causes fatal lung cancer

Series 2 “© European Community”

AN A-LIST I

[IMAGE]

Protect your children:
Do not force them to breathe tobacco smoke

Series 3 “© European Community”

ANNEX B

LIST 1 OF FOUR SERIES OF COMBINED WARNINGS, WHICH MUST APPEAR ON EACH PACKAGE OF TOBACCO PRODUCTS FOR SMOKING

AN B-LIST I Series 1

[IMAGE]

Smoking causes lung cancer

Each cigarette that you smoke increases your chances of getting lung cancer. 90% of all lung cancers are caused by tobacco use. 80% of those afflicted will die a slow and painful death.

AN B-LIST I Series 2

[IMAGE]

DEADLY EVEN FOR THOSE WHO DON'T SMOKE

Cigarette smoke contains toxic substances, including hydrogen cyanide, formaldehyde, and benzene. Second-hand smoke can be fatal, causing lung cancer and other ailments.

AN B-LIST I Series 3

[IMAGE]

Warning: CIGARETTES ARE HARMFUL TO BABIES

Use of tobacco harms the fetus during pregnancy. Smaller at birth, the baby runs the risk of not overcoming this deficiency, while risks of infant disease, disability and death are greater.

AN B-LIST I Series 4

[IMAGE]

Warning: YOUR CHILDREN IMITATE YOU

If you smoke, your children are twice as likely to smoke also. Among lifelong smokers, half of all premature death is due to the use of tobacco.

ANNEX C

**LIST 2 OF FOUR SERIES OF COMBINED WARNINGS,
WHICH MUST APPEAR ON EACH PACKAGE
OF TOBACCO PRODUCTS FOR SMOKING**

AN C-LIST 2 Series 1

[IMAGE]

Warning: Tobacco smoke is harmful to babies

Use of tobacco during pregnancy increases the risk of premature delivery. Premature babies face greater risk of infant mortality, illness and disabilities.

AN C-LIST 2 Series 2

[IMAGE]

Warning: Smoking causes strokes

Use of tobacco can block the arteries of the brain, preventing blood from circulating. This causes stroke, which can bring about disability and death.

AN C-LIST 2 Series 3

[IMAGE]

SMOKING KILLS

Use of tobacco can block the arteries of your heart and your brain, preventing blood from circulating. This causes heart attack or stroke, which can bring about disability and death.

AN C-LIST 2 Series 4

[IMAGE]

Warning: Tobacco smoke contains 50 carcinogens

The smoker is not the only one who breathes the smoke from his cigarette. The second-hand smoke breathed by the people around him contains more than 50 carcinogens.

ANNEX D

ADDITIONAL MESSAGES

**LIST OF FIVE SERIES OF WARNINGS THAT
MUST APPEAR ON EACH PACKAGE OF
CIGARETTES AND SHISHA TOBACCO**

AN D – Series 1

Tobacco smoke contains 4000 chemical substances, of which more than 50 cause cancer

AN D – Series 2

Stopping smoking saves you money!

AN D – Series 3

What is the annual cost of tobacco use? For cases of heart disease or cancer?

AN D – Series 4

Tobacco smoke contains toxic substances, including carbon monoxide and hydrogen cyanide.

AN D – Series 5

4000 substances in smoke including nicotine, ammonia and tar