

591/2016

**Decree of the Ministry of Social Affairs and Health
on the warning labels on unit packets of tobacco products and similar products**

By decision of the Ministry of Social Affairs and Health the following is enacted pursuant to the Tobacco Act (549/2016):

Chapter 1 – Warning labels on unit packets of tobacco products

Section 1 – General warning and information message

Each unit packet of tobacco product shall contain:

- 1) a general warning which reads, 'Smoking kills';
- 2) an information message which reads, 'Tobacco smoke contains over 70 substances known to cause cancer.'

Section 2 – Font type and font size

The general warning and the information message shall be:

- 1) printed in black Helvetica bold type on a white background;
- 2) printed a font size ensures that the text occupies the greatest possible proportion of the surface reserved for it;
- 3) at the centre of the surface reserved for them, and on cuboid unit packets they shall be parallel to the lateral edges of the packet.

Section 3 – Placement of general warning and information message on unit packet of cigarettes

- (1) On unit packets of cigarettes, the general warning shall appear on the bottom part of one of the lateral surfaces of the unit packet and the information message shall appear on the bottom part of the other lateral surface.
- (2) For packets in the form of a shoulder box with a hinged lid that result in the lateral surfaces being split into two when the packet is open, the general warning and the information message shall appear on the larger parts of those split surfaces. In this type of packet, the general warning shall also appear on the inside of the top surface that is visible when the packet is open. The lateral surfaces of this type of packet shall have a height of not less than 16 mm.

Section 4 – Placement of general warning and information message on unit packets of roll-your-own tobacco

- (1) For roll-your-own tobacco in cuboid unit packets the general warning shall appear on the bottom part of one of the lateral surfaces of packet and the information message shall appear on the bottom part of the other lateral surface.
- (2) For roll-your-own tobacco in cylindrical packets the general warning shall appear on the outside surface of the lid and the information message on the inside surface of the lid.
- (3) For roll-your-own tobacco marketed in pouches the general warning and the information message shall appear on the surfaces that ensure the full visibility of these health warnings. The provisions on the specific placement of the general warning and the information message in roll-your-own tobacco marketed in pouches are laid down in the Commission Implementing Decision (EU) 2015/1735 of 24 September 2015 on the precise position of the general warning and the information message on roll-your-own tobacco marketed in pouches.

Section 5 – Size of general warning and information message

- (1) Both the general warning and the information message shall cover 50% of the surfaces on which they are printed.

- (2) The general warning and information message in unit packets referred to above in section 3(1) and 4(1) shall have a height of not less than 20 mm.

Section 6 – Contents of combined health warnings

The unit packets of tobacco products shall carry combined health warnings which contain:

- 1) one of the following warning texts:
 - a) Smoking causes 9 out of 10 lung cancers;
 - b) Smoking causes mouth and throat cancer;
 - c) Smoking damages your lungs;
 - d) Smoking causes heart attacks;
 - e) Smoking causes strokes and disability;
 - f) Smoking clogs your arteries;
 - g) Smoking increases the risk of blindness;
 - h) Smoking damages your teeth and gums;
 - i) Smoking can kill your unborn child;
 - j) Your smoke harms your children, family and friends;
 - k) Smokers' children are more likely to start smoking;
 - l) Quit smoking – stay alive for those close to you;
 - m) Smoking reduces fertility;
 - n) Smoking increases the risk of impotence;
- 2) a corresponding colour photograph, the provisions on which are laid down in Annex II to Directive 2014/40/EU of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC (*Tobacco Products Directive*);
- 3) the following smoking cessation information: 'Support for quitting: www.tupakkainfo.fi'.

Section 7 – Rotation of combined health warnings

- (1) The warning texts and corresponding photographs of the combined health warnings shall be rotated in such a manner that they appear in equal numbers on the unit packets of each brand of tobacco products with a precision of 10%.
- (2) The combined health warnings are grouped into three sets as referred to in Annex II to the Tobacco Products Directive. The sets shall be rotated on an annual basis.

Section 8 – Placement of combined health warnings

- (1) The unit packets of tobacco products shall display two combined health warnings, one of which shall be placed on the front surface and the other on the rear surface of the packet. Cylindrical packets shall display two combined health warnings, equidistant from each other.
- (2) The combined health warnings shall appear at the top edge of the unit packet and be positioned in the same direction as any other information appearing on the said surfaces of the packaging. The combined health warnings shall be the same on both sides of the unit packet.
- (3) Where the price label referred to in section 11 of the Tobacco Tax Act [in Finnish: *laki tupakkaverosta*, Act 1470/1994, not available in English] is affixed or the unit price is printed at the top edge of a unit packet made of carton material, the combined health warning that is to appear on the back surface may be positioned directly below the price label or unit price text. Where a unit packet is made of soft material, in derogation from subsection 2 a rectangular area of a height not exceeding 13 mm may remain between the price label or unit price text referred to in section 11 of the Tobacco Tax Act and the top end of the combined health warnings. Upon application of the derogations provided herein the brand names or logos of the tobacco product may not be positioned above the combined health warnings.

Section 9 – Size of combined health warnings

- (1) The combined health warnings shall cover 65% of the surfaces on which they are printed. In cylindrical packets the combined health warnings shall cover 65% of the curved surface.
- (2) In unit packets of cigarettes, the combined health warnings shall have a height of not less than 44 mm and a width of not less than 52 mm.

Section 10 – Specific regulation of layout of combined health warnings

More specific provisions on the layout of combined health warnings are laid down in Commission Implementing Regulation (EU) 2015/1842 of 9 October 2015 on the technical specifications for the layout, design and shape of the combined health warnings for tobacco products for smoking.

Chapter 2 – Warning labels on unit packets of electronic cigarettes and refill containers

Section 11 – Nicotine warning label

The unit packets of refill containers for electronic cigarettes shall carry a nicotine warning label, the text of which shall read, 'This product contains nicotine which is a highly addictive substance.'

Section 12 – Font type and font size for nicotine warning label

The text of the warning label referred to above in section 11 shall be printed:

- 1) in black Helvetica bold type on a white background;
- 2) in a font size ensures that the text occupies the greatest possible proportion of the surface reserved for it.

Section 13 – Placement of nicotine warning label

The warning label referred to above in section 11 shall be placed on the two largest surfaces of the unit packets of electronic cigarettes and refill containers. The text of the warning label shall appear in the centre of the area reserved for it and be parallel to the main text on the surface.

Section 14 – Size of nicotine warning label

The warning label referred to above in section 11 shall cover 32% of the surface on which it is placed.

Section 15 – Leaflet with unit packets of electronic cigarettes and refill containers

The unit packets of electronic cigarettes and refill containers shall include a leaflet which contains the following in Finnish and in Swedish:

- 1) instructions for use and storage of the product, including a reference that the product is not recommended for use by young people and non-smokers;
- 2) information about illnesses and other health-related conditions which preclude use of the product;
- 3) warnings for specific risk groups;
- 4) information about possible adverse effects;
- 5) information about addictiveness and toxicity;
- 6) contact details of the manufacturer or importer and a contact person within the European Union.

Chapter 3 – Warnings labels on unit packets of herbal products for smoking

Section 16 – Smoking warning label

The unit packets of herbal products for smoking shall carry a smoking warning label, the text of which shall read, 'Smoking this product damages your health.'

Section 17 – Font size and font type of warning label

The provisions laid down in section 12 shall apply to the font size and font type of the warning label referred to above in section 16.

Section 18 – Placement of warning label concerning smoking

The warning label referred to above in section 16 shall be placed on the two largest surfaces of the unit packet. The text of the warning label shall appear in the centre of the area reserved for it and be parallel to the main text on the surface.

Section 19 – Size of warning label concerning smoking

The warning label referred to above in section 16 shall cover 32% of the surface on which it is placed.

Chapter 4 – Miscellaneous provisions

Section 20 – Affixing of warning labels

- (1) Unless otherwise provided herein the warning labels referred to in this Decree shall be placed on the external surface of the unit packet.
- (2) The warning labels referred to above in Chapter 1 shall be irremovably printed. However, on unit packets of tobacco products other than cigarettes and roll-your-own tobacco in pouches, the warning labels may be affixed by means of stickers, provided that such stickers are irremovable.
- (3) The warning labels referred to above in Chapter 1 may not be hidden and must be fully visible. They also may not hide or interrupt the price label or unit price text referred to in section 11 of the Tobacco Tax Act or the labelling for positioning and tracing purposes or security features referred to in section 32(1)(2) of the Tobacco Act.
- (4) The warning labels referred to above in Chapter 1 shall remain intact when opening the unit packet other than packets with a flip-top lid, where the warning labels may be split when opening the packet, but only in a manner that ensures their graphical integrity and visibility.

Section 21 – Framing of warning labels

The warnings labels referred to above in Chapter 1 shall be surrounded by a black border of a width of 1 mm. The border shall appear inside the surface area that is reserved for the label.

Section 22 – Calculation of warning label size

The warning label size referred to above in sections 1, 6, 11 and 16 shall be calculated in relation to the surface concerned when the packet is closed.

Section 23 – Outside packaging

The provisions laid down in this Decree for the unit packet shall also apply to outside packaging.

Chapter 5 – Entry into force

Section 24 – Entry into force

- (1) This Decree enters into force on 15 August 2016.
- (2) When the combined health warnings are rotated in the manner referred to in section 7(2), the first set to be used shall be the Set 1 referred to in Annex II of the Tobacco Products Directive and thereafter the sets shall be used in numerical order. Once all sets have been used, the rotation shall start over. A new set shall be introduced on 20 May of each year.
- (3) Section 8(3) above in force until 20 May 2019.