



REPUBLIC OF THE GAMBIA

MINISTRY OF HEALTH
THE QUADRANGLE
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Ref: HP 347/490/01 (ALS)

6th October, 2020

TO ALL TOBACCO MANUFACTURERS, IMPORTERS, DISTRIBUTORS AND SELLERS IN THE
GAMBIA

Dear Sir/Madam,

**TECHNICAL GUIDANCE FOR IMPLEMENTATION OF PICTORIAL HEALTH WARNINGS AND
MESSAGES ON TOBACCO PRODUCTS (Tobacco Control Act 2016 and Tobacco Control
Regulations 2019)**

Introduction

The Republic of The Gambia enacted the Tobacco Control Act 2016, herein referred to in this guidance as the Act and subsequently gazetted the Tobacco Control Regulations 2019 herein referred to as the Regulations. Sections 14 and 15 of the Act prescribes the requirements for graphic health warnings and messages while Part II of the regulations, which contains Regulations 3, 4, 5, 6, 7, 8 and 9, provides clear guidance on what manufacturers, importers, distributors and sellers of tobacco products are required to do.

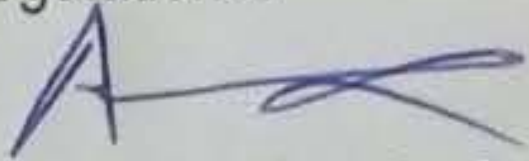
The Ministry of Health has developed the first-generation graphic health warnings and health messages for all tobacco products for sale in The Gambia. These graphic health warnings have been adopted in compliance with Part V of the Tobacco Control Act 2016 as well as Part II of the Tobacco Control Regulations 2019 which clearly articulates the broad and specific requirements, respectively, for the implementation of packaging and labelling on tobacco products manufactured, imported, distributed and sold in The Gambia.

To facilitate effective implementation of these prescribed set of graphic health warnings and health messages, the cooperation of and compliance by all manufacturers, importers, distributors and sellers of tobacco products is highly solicited.

Operational guidance

To operationalize these requirements, the following steps need to be taken and noted by the manufacturers, importers, distributors and sellers of tobacco products to ensure that all their tobacco products comply with the provisions of the Act and Regulations.

1. The notice by the Honorable Minister for Health lasts for a period of three (3) months effective the date the notice was issued.
2. All manufacturers, importers, distributors and sellers of tobacco products for sale in The Gambia must provisionally print the samples of packs and submit them in digital form for approval by the Minister prior to embarking on production of the new generation packages for the market. This is to ensure compliance with the necessary technical requirements.
3. All manufacturers, importers, distributors and sellers will be notified on the status of the compliance check packs within seven days of such presentation. The Producer may be invited during the evaluation to make presentation if needed.
4. Where the presented sample packs are in full compliance with the Act and Regulations, the manufacturers, importers, distributors and sellers or any other requestor will be granted written approval for each brand of tobacco products and may commence production henceforth.
5. Where the presented sample packs are NOT in full compliance with the Act and Regulations, the manufacturers, importers, distributors and sellers or any other requestor will be NOT be granted approval for that brand of tobacco products and shall be required to review and resubmit another sample for re-evaluation and approval.
6. Any manufacturers, importers, distributors and sellers of tobacco products in The Gambia whose products are found not to be compliant with the provisions of the Act and the Regulations shall be prosecuted in accordance with the law.
7. Any products that have been produced prior to the approval of the sample packs and do not bear the prescribed graphic health warnings and health messages shall only be allowed to be on sale up to the expiry of two (2) months (60 days) from the date of the notice issued by the Minister. The grace period of three months is granted to ensure smooth transition and shall not be waived or extended.
8. Any manufacturer, importer, distributor and seller of tobacco products in need of guidance may make written request for a meeting with Secretary to the Tobacco Control Committee who doubles as the Focal Person for Tobacco Control at the Ministry of Health. Such consultation must be conducted in strict conformity to Section 20 of the Act.
9. This guidance is intended only to assist the manufacturers, importers, distributors and sellers to inform technical compliance and shall NOT be misconstrued to replace or interpret any provisions of the Act or Regulations.


Hon. Ahmadou Lamin Samateh
Minister for Health



Cc: Hon. Attorney General & Minister of Justice
Permanent Secretary, Ministry of Health
Permanent Secretary, Ministry of Tourism and Culture
Permanent Secretary Ministry of Youth and Sports
Permanent Secretary, Ministry of Information
Commissioner General Gambia Revenue Authority
Director, Gambia Bureau of Standards
Director General, Gambia Revenue Authority
Inspector General of Police
Chairman, Tobacco Control Committee
Secretary, Tobacco Control Committee
File