

Unofficial Translation

TRA-120658-SE

EMRICH

Official Journal

Section A Agreements and Laws

Republic of Honduras – Tegucigalpa Central District Municipality, 8 April 2011 No. 32, 488

Legislative Branch

Decree No. 12-2011

The National Congress

WHEREAS: The approval of health warning labels in connection with the sale, distribution and consumption of tobacco must be brought into line with the obligations contracted by Honduras under international treaties such as GATT and, in particular, the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) negotiated during the Uruguay Round.

WHEREAS: Certain circumstances justify restrictions on the right to freedom of expression and intellectual property rights, but only when there is an urgent social need, in this case the protection of public health; any restriction must be necessary and proportionate.

WHEREAS: Pursuant to article 205 (1) of the Constitution, the National Congress has the power to draft, decree, amend, interpret and repeal laws.

THEREFORE:

DECREES:

Article 1 – To amend article 21 of the Special Act on Tobacco Control, Decree No. 92-2010 of 10 June 2010, by amending and supplementing the text, which shall read as follows:

Article 21 – Spaces for the printing of warning messages. Manufacturing companies and agencies, importers or distributors of cigarettes and other tobacco products for sale in Honduras are required to print messages combined with images or pictograms on fifty percent (50 %) of the two principal display areas of packages, which shall be rotated and modified annually. Information on nicotine, tar and carbon monoxide levels must be printed visibly on one of the side panels of the package in condensed bold Helvetica font. Health warnings shall be written in Spanish and printed clearly, visibly and legibly, must be rotated and modified annually, and shall occupy at least twenty-five percent (25 %) of the message display area.

Both the health messages and health warnings shall be printed on the package, and not on the disposable outside wrapper, such as cellophane, or by using adhesive or similar labels that may come off.

Article 2 – Entry into force. This Decree shall take effect three (3) months after its publication in the Official Journal.

Issued in the city of Tegucigalpa, Central District Municipality, in the Assembly Hall of the National Congress, on 1 March 2011.

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Lena Karyn Gutiérrez Arévalo
President

Rigoberto Chang Castillo
Secretary

Gladis Aurora López Calderón
Secretary

To the Executive Branch

Therefore: For enforcement.

Tegucigalpa, Central District Municipality, 25 March 2011

Porfirio Lobo Sosa, President of the Republic

Arturo Bendaña Pinel, Minister of Health