

S.I. No. 28/1994 - Tobacco Products (Control of Advertising, Sponsorship and Sales Promotion) (Amendment) Regulations, 1994.

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TOBACCO PRODUCTS (CONTROL OF ADVERTISING, SPONSORSHIP AND SALES PROMOTION) (AMENDMENT) REGULATIONS, 1994.

TOBACCO PRODUCTS (CONTROL OF ADVERTISING, SPONSORSHIP AND SALES PROMOTION) (AMENDMENT) REGULATIONS, 1994.

The Minister for Health, in exercise of the powers conferred on him by section 2 of the Tobacco (Control of Advertising, Sponsorship and Sales Promotion) Act, 1978 (No. 27 of 1978) hereby makes the following Regulations:

1. These Regulations may be cited as the Tobacco Products (Control of Advertising, Sponsorship and Sales Promotion) (Amendment) Regulations, 1994, hereinafter called "the Regulations".

2. These Regulations shall come into operation on the 1st day of March, 1994.

3. The Tobacco Products (Control of Advertising, Sponsorship and Sales Promotion) Regulations, 1991 ([S.I. No. 326 of 1991](#)) are hereby amended by:

(i) the substitution of the following sub-article for sub-article (2) of article 11 of the Regulations:

"(2). Every package of tobacco products, other than cigarettes, supplied for retail sale by a person engaged in the manufacture, packaging or importation of tobacco products shall bear approved statements, in a conspicuous place, indicating the risk to the health of persons, which is associated with the use of tobacco products, which statements shall comply with the requirements set out in Part 6 of the Schedule to these Regulations."

(ii) the addition of the following sub-article to article 11 of the Regulations:

"(6) In the distribution of tobacco products, other than cigarettes, a person engaged in the manufacture, importation or distribution of such tobacco products shall ensure that the packages are rotated in such a way as to guarantee the successive appearance of each statement required by sub-article (2) of article 11 and Part 6 of these Regulations on an equal quantity of unit packages."

(iii) the substitution of the following Part for Part 6 of the Schedule to the Regulations:

"PART 6

Approved Statements on packages of tobacco products, other than cigarettes

1. The statement required by sub-article (2) of Article 2:

(i) shall be in the following form:

TOBACCO SERIOUSLY DAMAGES HEALTH

(ii) shall be printed on, or irremovably affixed to, a conspicuous place on a contrasting background and in such a way as to be easily visible, clearly legible and indelible and shall not be hidden, obscured or interrupted by any other written or pictorial matter,

(iii) may terminate on a separate line with the attribution "Government Warning" or "Irish Government Warning" or any other attribution approved by the Minister, and

(iv) shall cover at least 1 per cent of the total surface of the unit package.

2. The statements other than those mentioned in paragraph 1 of this Part of this Schedule required by sub-article (2) of article 11 of these Regulations:

(i) shall be in one of the following forms:

(a) SMOKING CAUSES CANCER

(b) SMOKING CAUSES FATAL DISEASES

(c) SMOKING DAMAGES THE HEALTH OF THOSE AROUND YOU

(d) SMOKING CAUSES HEART DISEASE,

(ii) shall be printed on, or irremovably affixed to, a conspicuous place on a contrasting background and in such a way as to be easily visible, clearly legible and indelible and shall not be hidden, obscured or interrupted by any other written or pictorial matter,

(iii) shall contain at least 1 per cent of the total surface of the unit package, and

(iv) may terminate with an attribution approved by the Minister.

3. The following sub-article shall be inserted in article 11 of the Regulations:

"(7) Unit packages of nasal snuff shall carry the statement "Causes Cancer".

4. The word "and" shall be deleted from the end of sub-paragraph (b) of article 26 of the Regulations and the word "and" shall be inserted after the figure "1991" in (c) of article 26 of the Regulations and the following shall be inserted in article 26 of the Regulations:

"(d) up to the 31st December, 1994, packages of tobacco products, other than cigarettes and packaging materials already manufactured on or before the 31st day of December, 1993." "

GIVEN under the Official Seal of the Minister for Health, this 17th day of February,
1994.

BRENDAN HOWLIN,

Minister for Health.

EXPLANATORY NOTE.

These Regulations implement Council Directive 92/41/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products and amend the Tobacco Products (Control of Advertising, Sponsorship and Sales Promotion) Regulations, 1991 ([S.I. No. 28 of 1991](#)).

The effect of the Regulations is to require that packages of tobacco products, other than cigarettes, display in rotation, a number of health warnings.

The Regulations shall come into effect on 1 March, 1994.

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