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As stipulated in Article 40, Paragraph 2 of the Tobacco Industry Law (1984, Law No. 68) all of the guidelines regarding the advertisement of manufactured tobacco products (1989 announcement of the Ministry of Finance No. 176) have been revised as follows.

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Guidelines concerning the Advertising of Manufactured Tobacco Products

In recent years the Japanese people have become more conscious of the link between tobacco and health, and with Japan's ratification of the World Health Organization Framework Convention on Tobacco Control (WHO FCTC), the regulations adopted by major nations concerning tobacco, and so on, the environment surrounding smoking has undergone tremendous change.

Based on these considerations, we are hereby revising the old guidelines for advertising manufactured tobacco products (tobacco advertising) and adopting new guidelines so that parties advertising manufactured tobacco products will pay more attention than heretofore to the prevention of smoking by minors as well as the link between the consumption of manufactured tobacco products (hereafter "tobacco") and health, so as not to engage in excessive advertising of their products.

I. General Guidelines

When advertising tobacco, adequate consideration should be given to the prevention of smoking by minors, and care should be taken not to advertise tobacco products in an excessively widespread and aggressive manner. In addition, attention must be paid to the appropriate provision of information on the deleterious impact of tobacco on health, so as to contribute to the creation of an environment in which an individual can individually make a decision to smoke or not smoke.

Based on this rationale, tobacco advertising should be carried out according to the following guidelines.

(1) Concern about preventing minors from smoking

The need to prevent minors from smoking should be taken into full account when considering advertising approaches, such as locations for advertising. In addition, the content of tobacco advertising also should not attract the attention of minors, nor should minors be the target of advertising, while attention should be drawn to the fact that minors are prohibited from smoking.

(2) Consideration of the link between tobacco consumption and health

While being careful not to invite misunderstanding concerning the ill effects of tobacco on health, appropriate information should be provided on the connection between smoking and health.

(3) Care not to engage in excessive tobacco advertising

Avoiding advertising content, advertising methods, etc. which in broad and aggressive fashion encourage smoking.

(4) Miscellaneous

Concerning sales promotion activities other than tobacco advertising designed to promote smoking, care should also be exercised based on the intent of these guidelines. Furthermore, consideration should be given to the fact that

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along with the development of information transmission methods, it is increasingly possible that the dissemination of tobacco advertising, etc. will cross borders.

II. Guidelines for Advertising Approaches of Media, etc.

Based on the guidelines described in the previous section, tobacco advertising, etc. should be carried out in line with the guidelines below for specific advertising methods for advertising in media, etc.

(1) Tobacco advertising on TV, radio, Internet, etc.

Advertising should not be done except when it is technologically possible to limit the target audience to adults.

(2) Tobacco advertising in newspapers, magazines and other publications

Even in cases where the target readership of a publication primarily consists of adults, in the case of daily newspapers the influence of the publication should be scrutinized and due attention be made to the advertising methods, etc. used.

(3) Tobacco advertising posted or displayed by posters, billboards, buildings or other structures, etc. (Including trains, automobiles and other vehicles)

Advertising should not be carried out in places highly public by nature, except in cases where there are tobacco sales points or areas designated for smoking.

(4) Distribution of tobacco samples, flyers, catalogs, pamphlets, etc.

While ensuring that distribution is limited to adults, such activities should not be carried out in places highly public by nature

(5) Sales promotion projects (Carrying out provision of sales promotion items, prize campaigns or other promotions)

These should be targeted solely at adults.

(6) Support (sponsorship)

Such sponsorship should be limited to events in which all participants and those managing the event are adults, the events are staged mainly for adults, etc. Moreover, these events should not be carried out for the purpose of broadcasting (including transmission over the Internet, with the exception of cases where it is possible to technologically limit the event to an adult audience).

III. Guidelines for Appropriate Information Provision concerning the link between Smoking and Health

Tobacco advertising should contain cautionary language mentioning the following items (1) to (5) concerning the connection between tobacco consumption and health, and be expressed in clear, easy-to-read form. The only exceptions are in cases of ads in which because the space given to the advertisement is so very small that it is difficult to include the advertising content as well as the text in (1) to (5).

- (1) "Smoking may contribute to your developing lung cancer, and in addition it increases the danger of heart attacks, the danger of cerebral strokes or respiratory diseases."
- (2) "Smoking by minors is bad for health and is likely to lead to dependency on tobacco. You should not smoke even if encouraged to do so by those around you."
- (3) One of the following three statements
"Smoking while pregnant may cause developmental disorders and premature birth."

“Tobacco smoke may have ill effects on those around you, especially infants, children and the elderly. When you smoke, be careful not to inconvenience other people.”

“Although the degree will differ by individual, nicotine will cause smoking addiction.”

- (4) Language contained in Appendix Table III based on the provisions of Article 36, Paragraph 2 of the Enforcement Regulations for the Tobacco Industry Law
- (5) Language expressions contained in Article 36-2, Paragraph 2 of the Enforcement Regulations for the Tobacco Industry Law

IV. Advertising Beyond the Purview of these Guidelines

These guidelines shall not apply to advertising concerning such things as corporate activities, advertising designed to promote good smoking etiquette or prevent minors from smoking, or other activities that do not promote smoking.

Supplementary Provisions

- 1 These guidelines (hereafter “New Guidelines”) took effect on April 1, 2004. However, the numbered provisions below will take effect from the date cited in each.
 - 1- The provisions concerning the posting or display of tobacco ads in trains, motor vehicles or other vehicles as described in New Guidelines I, II (3) and III will take effect on October 1, 2004.
 - 2- The provisions concerning the display or posting of tobacco advertising in posters, billboards, buildings or other structures, etc. (with the exception of trains, motor vehicles and other vehicles) as described in New Guidelines I, II (3) and III will take effect on April 1, 2005.
 - 3 - The provisions concerning sponsorship contained in New Guidelines I, II (6) and III shall take effect on December 1, 2006.
 - 4 – The provisions contained in New Guideline III (other than the items concerning tobacco advertising described in the preceding numbered items) shall take effect on October 1, 2004.
- 2 Regardless of the provisions in the preceding paragraph, concerning tobacco advertising that is posted or displayed in posters, billboards, buildings or other structures, etc. (with the exception of trains, motor vehicles and other vehicles), if the valid period under contract for the posting or display of such tobacco advertisements lasts past April 1, 2005 (with the exception of contracts where the signing date followed the date of [guidelines] promulgation), the provisions of III of the New Guidelines shall take effect from April 1, 2005, and in addition provisions I and II (3) shall take effect from October 1, 2005.
- 3 As far as application of the New Guidelines to tobacco advertisements displayed in newspapers, magazines or other publications on sale through September 30, 2004 is concerned, the previous regulations shall apply.