

LATVIAN [coat of arms] HERALD

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Cabinet Regulation No. 306

Riga, 17 May 2016 (Protocol Decision No. 23 22.§)

Regulation on the Requirements for Health Warnings to Be Placed on Packaging

*Issued pursuant to the sixth part of Section 7 of the Law on
Trade in Tobacco Products, Herbal Smoking Products,
Electronic Smoking Devices and Associated Liquids*

I. General issue

This Regulation sets out:

- 1.1 Procedures for presentation and placement of health warnings on tobacco product, herbal smoking product, electronic cigarette and refill container packaging;
- 1.2 Combined health warnings (hereinafter – combined warning) to be placed on unit packets of tobacco products for smoking and outside packaging and written warnings to be included therein;
- 1.3 Procedures for notification by the manufacturer or importer of the placing of the combined health warning.

II. General requirements

2. Health warnings placed on unit packets of tobacco products and any outside packaging shall take up all the surface area intended for them, and they shall not be commented on or rephrased or referred to in any way.
3. Health warnings placed on unit packets or any outside packaging shall be printed so that:
 - 3.1 they are non-removable and indelible and are completely visible, also so that they are not completely or partially hidden or interrupted by tax stamps, price tags, safety elements, wrappers, covers, boxes or other means;
 - 3.2 on opening the unit packet the health warnings remain unaffected. For a unit packet with a flip-top lid, the health warnings can be torn at time of opening the unit packet, but only so that the graphical wholeness and visual impact of the text, photographs and information about quitting smoking is ensured.
4. Health warnings placed on unit packets shall in no manner hide or interrupt tax stamps, price tags, traceability and identification marks or safety elements.

5. The size of general warnings, informative notices and combined warnings to be placed on unit packets of tobacco products for smoking and any outside packaging and also of health warnings to be placed on unit packets of smokeless tobacco products and any outside packaging shall be calculated in relation to the actual surface area of the closed unit packet or outside packaging.

6. Health warnings placed on unit packets of tobacco products and any outside packaging shall be enclosed by a one millimeter wide black line within the area intended for health warnings.

7. Images intended for the consumer that have reproductions of the unit packet or any outside packaging shall comply with the requirements of the legislation regulating trade in tobacco products, herbal products for smoking, electronic cigarettes and their refill containers.

8. Health warnings on unit packets of tobacco products that are not cigarettes or roll-your-own tobacco in pouches may be printed on stickers provided that such stickers are non-removable.

**III. Requirements for placement of the general warning and informative notice
on unit packets of tobacco products for smoking
and any outside packaging**

9. The general warning and informative notice on unit packets of tobacco products for smoking and any outside packaging shall cover 50% of the surface on which it is printed.

10. The general warning on a pack of cigarettes and the cuboid shaped packaging of roll-your-own tobacco shall be placed on the bottom part of the surface on one side of the unit packet, and the informative notice shall be placed on the bottom part of the surface on the other side. These health warning shall be at least 20 millimeters wide.

11. The side surface on unit packets for tobacco products for smoking that have the form of a shoulder box with a hinged lid, opening which causes the pack's side surface to be divided into two parts, shall be at least 16 millimeters in height. On such a unit packet the general warning shall be printed in its entirety on the larger part of the divided surface and on the inner part of the upper surface that is visible when the packaging is opened, and the informative notice shall be printed on the larger part of the completely divided surface.

12. The general warning and informative notice on unit packets of roll-your-own tobacco in the form of a rectangular pocket with a flap that covers the opening (foldable pouch or flat base pouch) or a pouch with a base (standing pouch) shall be printed on surfaces where they are completely visible.

13. The general warning and informative notice on flat base pouches and foldable pouches shall be located and presented in accordance with points 1 and 2 of Appendix 1 of this Regulation, subject to the following conditions:

13.1 the general warning and informative notice shall be printed on two surfaces that are visible when completely opening the unit packet;

13.2 the general warning and informative notice shall be placed at the top edge of the respective surface;

13.3 the general warning shall be printed on the top surface.

14. The general warning and informative notice on folding pouches formed from polyethylene, polypropylene or laminated material shall be located and presented in accordance with point 3 of Appendix 1 of this Regulation, subject to the following conditions:

14.1 the informative notice shall be placed on the surface that is visible when partially folding back the unit packet;

14.2 the general warning shall be placed on the lower surface that is visible when completely opening the unit packet;

14.3 the inside of the covering flap that is visible when completely opening the unit packet may not be printed on or used in any other way;

14.4 the general warning and informative notice shall be located on the top edge of the surface on which they are printed.

15. On standing pouches the general warning and informative notice shall be located and presented in accordance with point 4 of Appendix 1 of this Regulation, subject to the following conditions:

15.1 the general warning and informative notice shall be located on surfaces of the base that are visible when the standing pouch for roll-your-own tobacco is laid down with its back side downwards;

15.2 the general warning shall be printed on the surface that is above the folding line of the base of the standing pouch for roll-your-own tobacco;

15.3 the informative notice shall be printed on the surface that is below the folding line of the base of the standing pouch for roll-your-own tobacco;

15.4 the surface area shall be calculated using measurements when the sides are closed.

16. On roll-your-own tobacco unit packets shaped like a cylindrical packet, the general warning shall be printed on the outer surface of the lid and the informative notice shall be printed on the inner surface of the lid.

17. On unit packets of tobacco products for smoking and outside packaging, the general warning and informative notice shall be printed in black ink in Helvetica bold on a white background and shall be located in the center of the surface intended for them. On cuboid shaped unit packets and any outside packaging the general warning and informative notice shall be located parallel to the unit packet or outside packaging side edge.

IV. Requirements for placement of the combined warning

18. The combined warning placed on each unit packet of a tobacco product for smoking and any outside packaging:

18.1 shall include one of the images in Appendix 2 of this Regulation that consists of the relevant color photograph and one of written warnings mentioned in Appendix 3 of this Regulation;

18.2 shall include information about quitting smoking mentioned in point 3 of the second part of Section 7 of the Law on Trade in Tobacco Products, Herbal Smoking Products, Electronic Smoking Devices and Associated Liquids;

18.3 shall be placed on the front and back surfaces of both the unit packet and the outside packaging and shall cover 65% of each surface. On each unit packet and each outside packaging one and the same written warning and respective color photograph shall be placed on both surfaces of the unit packet and outside packaging. On cylindrical packaging two combined warnings shall be placed equidistant from each other and each health warning shall cover 65% of the curved surface's respective side;

18.4 shall be placed at the top edge of the unit package and any outside package and is oriented in the same direction as any other information on the same packaging surface;

18.5 meets the following requirements if it is on cigarette unit packets:

18.5.1 height not less than 44 millimeters;

18.5.2 width not less than 52 millimeters.

19. In accordance with Appendix 2 of this Regulation there are three sets of combined warnings. Each year one set shall be used, and after a year it shall in turn be replaced with another set of combined warnings. Each set of combined warnings that is intended to be used in a certain year is to be represented as far as possible in equal numbers on the packaging of tobacco products for smoking.

20. The manufacturer or importer shall inform the Health Inspectorate about the combined warning set used in the relevant year within a month of placing a tobacco product for smoking on the market.

21. The manufacturer shall place the combined warning depending on its height and width as follows:

21.1 If the height of the combined warning is more than 70% of its width, the combined warning shall be placed in the columnar format in accordance with point 1 of Appendix 4 of this Regulation;

21.2 If the height of the combined warning is more than 20% but less than 65% of its width, the combined warning shall be placed in the side-by-side format in accordance with point 2 of Appendix 4 of this Regulation;

21.3 If the height of the combined warning is 65% of its width or more but less than 70%, it may be placed in the columnar or side-by-side format, subject to the condition that all the elements of the combined warning remain completely visible and are not deformed.

22. When placing the combined warning in the columnar format in accordance with point 1 of Appendix 4

of this Regulation, the photograph shall be placed at the top of the combined warning with the written warning and information about quitting smoking below the photograph. The photograph shall take up 50%, the written warning 38% and information about quitting smoking 12% of the surface area of the combined warning that is inside the outer black border.

23. When placing the combined warning in the side-by-side format in accordance with point 2 of Appendix 4 of this Regulation, the photograph shall be placed at the left side of the combined warning, the written warning on top on the right side, and information about quitting smoking at the bottom of the right side. The photograph shall take up 50%, the written warning 40% and information about quitting smoking 10% of the surface area of the combined warning that is inside the outer black border.

24. If because of the form of the unit packet or outside packaging the height of the combined warning is 20% of its width or less, the combined warning in accordance with point 3 of Appendix 4 of this Regulation shall be placed in an extra wide side-by-side format. In this case the photograph shall take up 35%, the written warning 50% and information about quitting smoking 15% of the surface area of the combined warning that is inside the outer black border.

25. The combined warning shall be printed using the four-color model CMYK (cyan, magenta, yellow and keyline [black] color model). All elements in black shall be C0 M0 Y0 K100 and elements in warm yellow shall be C0 M10 Y100 K0. The combined warning shall be reproduced with a minimum resolution of 300 dpi when printed actual size.

26. The written warning shall be printed in accordance with Appendix 4 of this Regulation in white on a black background and information about quitting smoking shall be printed in black on a warm yellow background.

27. If the combined warning is placed in the side-by-side format, inverted columnar format or extra wide side-by-side format, there shall be a black line one millimeter wide in the area intended for the information about quitting smoking between that information and the photograph.

28. The manufacturer or importer shall ensure that the photograph to be included in the combined warning:

28.1 is reproduced without the use of effects, without adjusting the colors, without retouching and without enlarging the background;

28.2 is not cut off too close to or too far from the image's focal point;

28.3 is sized proportionally, without stretching or compression.

29. The manufacturer shall ensure that:

29.1 the written warning and information about quitting smoking are lined up on the left and centered vertically;

29.2 the written warning and information about quitting smoking are printed in the Neue Frutiger Condensed Bold font;

29.3 the written warning is printed with letters of the same size;

29.4 the size of the letters of the written warning and information about quitting smoking is as large as possible, so as to ensure maximum visibility of the text;

29.5 the minimum letter size of the written warning is 6 point and the minimum letter size of the information about quitting smoking is 5 point;

29.6 spacing between rows of writing is 2 points larger than the size of the letters of the written warning and 1-2 points larger than the size of the letters of the information about quitting smoking;

29.7 the written warning is reproduced as set out in Appendix 3 of this Regulation, including with respect to used of capitals but not numbering.

30. In designing the presentation of the combined warning on unit packets and any outside packaging of tobacco products for smoking that are not cigarettes, roll-your-own tobacco or water pipe tobacco, if it is not possible to apply sub-points 29.5 and 29.6 of this Regulation, manufacturers and importers may reduce the size of the letters of the written warning and information about quitting smoking or the spacing between rows of writing, with the condition that all elements of the combined warning are retained and they are completely visible.

31. Point 22 of this Regulation shall not be applied to a combined warning to be placed on the front of unit packets with a flip-top lid. For such a combined warning the following conditions shall apply:

31.1 If the lid is smaller than the surface area intended for the photograph as set out in points 22 and 23 of this Regulation and complying with the requirements of point 22 would cause the photograph to be divided when opening the packet:

31.1.1 the written warning shall be placed at the top of the combined warning and information about quitting smoking and the photograph shall be placed below the written warning in accordance with point 4 of Appendix 4 of this Regulation (inverted columnar format);

31.1.2 the photograph shall take up at least 50%, the written warning at least 30% and information about quitting smoking at least 10% but not more than 12% of the surface area of the combined warning that is inside the outer black border;

31.2. If the lid is larger than the surface area for the photograph set out in points 22 and 23 of this Regulation and complying with the requirements of point 22 would cause the written warning or information about quitting smoking to be divided when the packet is opened:

31.2.1 the photograph shall be placed at the top of the combined warning, and the written warning and information about quitting smoking shall be placed below the photograph in accordance with point 1 of Appendix 4 of this Regulation;

31.2.2 the photograph shall take up at least 50%, the written warning at least 30% and the information about quitting smoking at least 10% but not more than 12% of the surface area of the combined warning that is inside the outer black border.

31.3 The manufacturer shall ensure that none of the combined warning elements mentioned in sub-points 18.1 and 18.2 are divided when the unit packet is opened.

V. Presentation of the health warning to be placed on packaging of smokeless tobacco products, herbal products for smoking, electronic cigarettes and refill containers

32. The health warning to be placed on unit packets of smokeless tobacco products, electronic cigarettes and refill containers and any outside packaging:

32.1 shall be placed on the two largest surfaces;

32.2 shall be placed parallel to the main text on the surface intended for this warning;

32.3 shall comply with point 17 of this Regulation.

33. The health warning on unit packets of herbal products for smoking shall be printed on the unit packets front and rear surfaces and also on any outside packaging, and shall comply with point 17 of this Regulation.

34. Health warnings to be placed on unit packets of smokeless tobacco products, herbal products for smoking, electronic cigarettes and refill containers and any outside packaging shall cover 30% of the surface on which they are printed.

VI. Concluding issues

35. Tobacco products manufactured or placed on the market by 19 May 2016 and labelled in accordance with Cabinet Regulation No. 868 of 21 October 2008 "Regulations Regarding Addition of Color Photographs or Illustrations to Tobacco Product Unit Packets" are allowed to be placed on the market until 20 May 2017.

36. Point 14 of this Regulation and Point 3 of Appendix 1 of this Regulation are in force until 20 May 2018.

37. Roll-your-own tobacco in pouches that is manufactured or placed on the market by 20 May 2018 and labelled with the general warning and informative notice in accordance with Point 14 of this Regulation and Point 3 of Appendix 1 of this Regulation is allowed to be placed on the market until 20 May 2019.

38. Until 19 May 2019 combined warnings printed on cardboard unit packet rear surface shall be placed directly below the excise duty stamp. If the unit packet is manufactured from soft material, the excise duty stamp may be placed in a square area such that the height of the excise duty stamp does not exceed 13 millimeters between the top edge of the packaging and the top edge of the combined warning. Brands and logos shall not be placed on top of the health warning.

39. The Regulation shall come into force on 20 May 2016.

Informational reference to European Union directives

This Regulation project incorporates provisions of law from:

1) Commission Directive 2012/9/EU of 7 March 2012 amending Annex I to Directive 2001/37/EC 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 products;

2) Commission Directive 2014/39/EU of 12 March 2014 amending Directive 2012/9/EU as regards the date for its transposition and the deadline for the end of the transitional period;

3) Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 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;

4) Commission Directive (EU) 2015/1139 of 13 July 2015 amending Directive 2012/9/EU as regards the date for its transposition and the deadline for the end of the transitional period;

5) Commission Delegated Directive 2014/109/EU of 10 October 2014 amending Annex II to Directive 2014/40/EU of the European Parliament and of the Council by establishing the library of picture warnings to be used on tobacco products Text with EEA relevance.

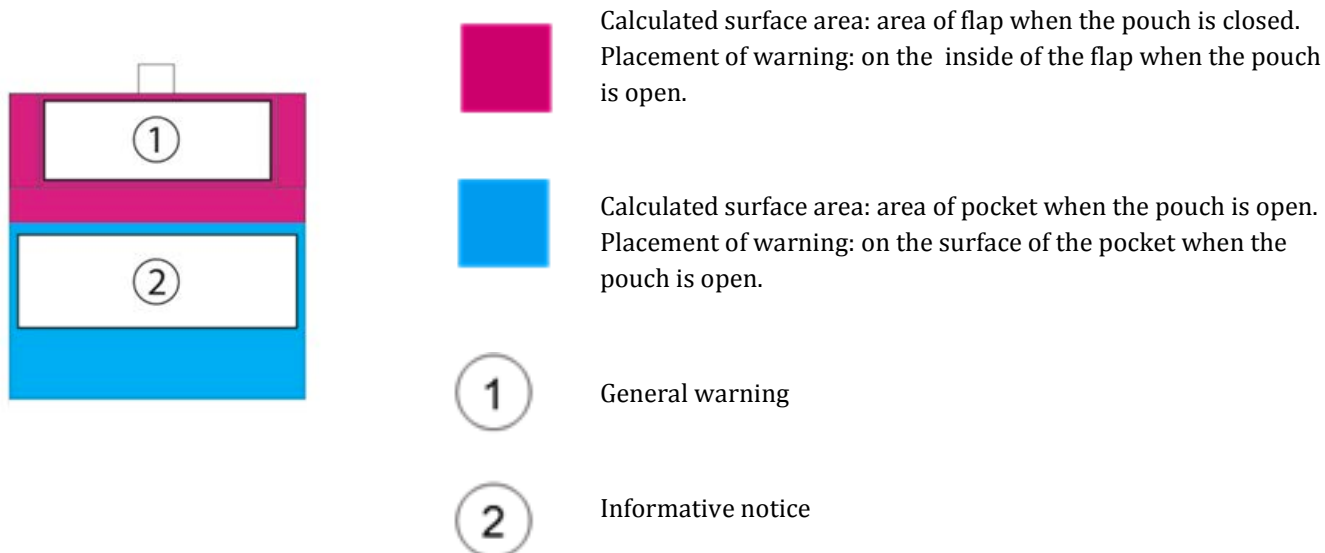
Prime Minister *Maris Kucinskis*

Minister of Health *Guntis Belevics*

**Precise placement of the general warning and informative notice on roll-your-own
tobacco sold in pouches**

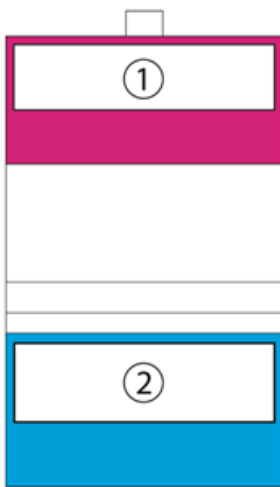
1. Flat base pouch

[figure]



2. Foldable pouch

[figure]



Calculated surface area: area of flap when the pouch is closed.
Placement of warning: on the inside of the flap when the pouch is completely unfolded (in the area calculated when the pouch is closed).



Calculated surface area: area of pocket when the pouch is closed.
Placement of warning: area of pocket when the pouch is completely unfolded (in the area calculated when the pouch is closed).



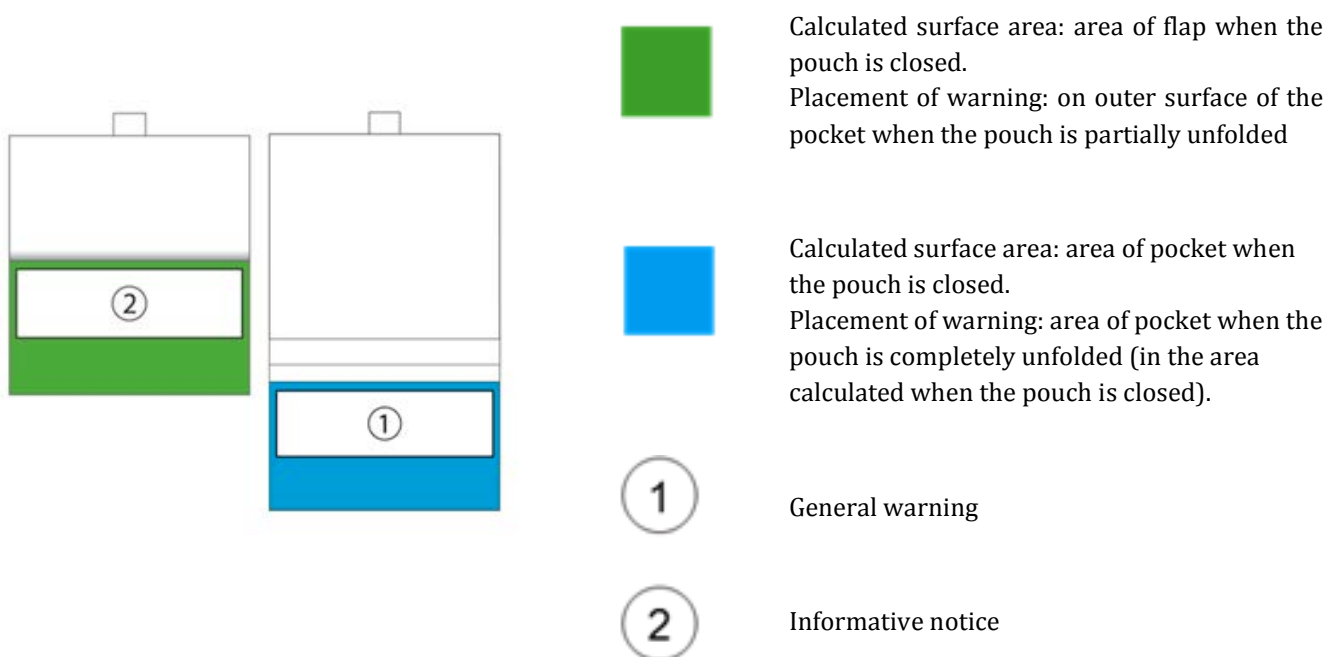
General warning



Informative notice

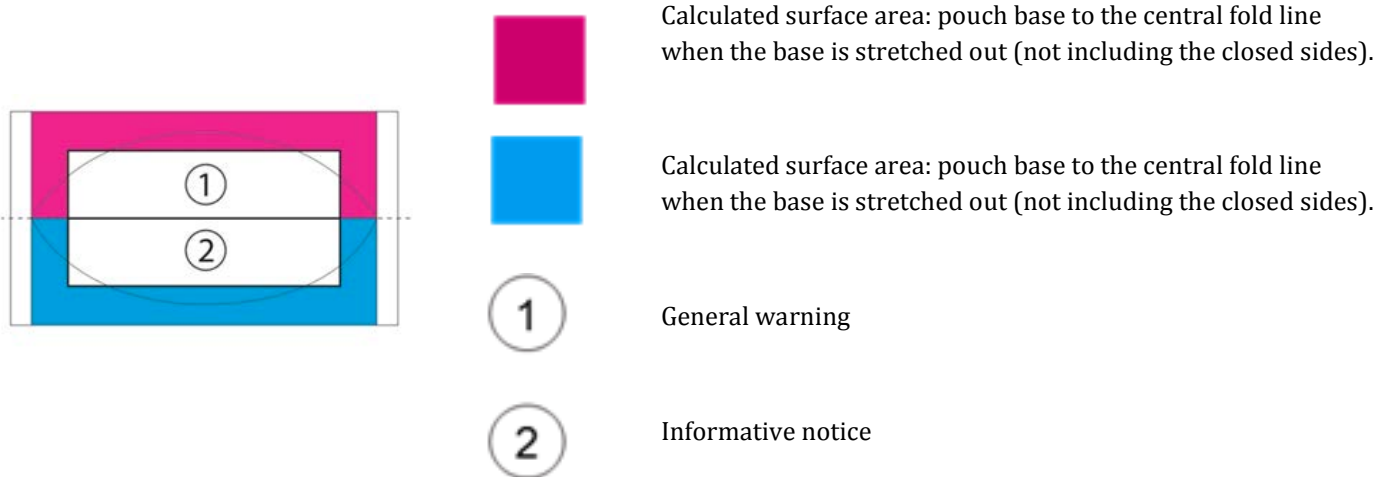
3. Foldable pouch (other placement)

[figure]



4. Standing pouch

[figure]



Minister of Health *Guntis Belevics*

Images of combined health warnings

Set 1.

[figure] Nine out of ten lung cancer patients are smokers	[figure] Smoking causes mouth and throat cancer	[figure] Smoking seriously harms your lungs
[figure] Smoking causes heart attacks	[figure] Smoking causes stroke and disability	[figure] Smoking causes blocking of the arteries
[figure] Smoking increases the risk of becoming blind	[figure] Smoking causes damage to your teeth and gum disease	[figure] Smoking can kill your unborn child

[figure] Cigarette smoke harms your children, family and friends	[figure] If you smoke, it increases the risk that your children will also smoke	[figure] Quit smoking – your loved ones need you alive
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[figure] Smoking reduces fertility	[figure] Smoking increases the risk of impotence
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Set 2.

[figure] Nine out of ten lung cancer patients are smokers	[figure] Smoking causes mouth and throat cancer	[figure] Smoking seriously harms your lungs
[figure] Smoking causes heart attacks	[figure] Smoking causes stroke and disability	[figure] Smoking causes blocking of the arteries

[figure] Smoking increases the risk of becoming blind	[figure] Smoking causes damage to your teeth and gum disease	[figure] Smoking can kill your unborn child
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[figure] Cigarette smoke harms your children, family and friends	[figure] If you smoke, it increases the risk that your children will also smoke	[figure] Quit smoking – your loved ones need you alive
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[figure] Smoking reduces fertility	[figure] Smoking increases the risk of impotence
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Set 3.

[figure] Nine out of ten lung cancer patients are smokers	[figure] Smoking causes mouth and throat cancer	[figure] Smoking seriously harms your lungs
[figure] Smoking causes heart attacks	[figure] Smoking causes stroke and disability	[figure] Smoking causes blocking of the arteries
[figure] Smoking increases the risk of becoming blind	[figure] Smoking causes damage to your teeth and gum disease	[figure] Smoking can kill your unborn child
[figure] Cigarette smoke harms your children, family and friends	[figure] If you smoke, it increases the risk that your children will also smoke	[figure] Quit smoking – your loved ones need you alive

[figure] Smoking reduces fertility	[figure] Smoking increases the risk of impotence
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Minister of Health *Guntis Belevics*

Appendix 3
to Cabinet
Regulation No. 306
of 17 May 2016

Written health warnings

1. Nine out of ten lung cancer patients are smokers.
2. Smoking causes mouth and throat cancer.
3. Smoking seriously harms your lungs.
4. Smoking causes heart attacks.
5. Smoking causes stroke and disability.
6. Smoking causes blocking of the arteries.
7. Smoking increases the risk of becoming blind.
8. Smoking causes damage to your teeth and gum disease.
9. Smoking can kill your unborn child.
10. Cigarette smoke harms your children, family and friends.
11. If you smoke, it increases the risk that your children will also smoke.
12. Quit now [sic] – your loved ones need you alive.
13. Smoking reduces fertility.
14. Smoking increases the risk of impotence.

Minister of Health *Guntis Belevics*

Placement of combined health warnings

1. Columnar format

[figure]

1. Photograph. 2. Written warning. 3. information about quitting smoking.

2. Side-by-side format

[figure]

1. Photograph. 2. Written warning. 3. information about quitting smoking.

3. Extra-wide side-by-side format

[figure]

1. Photograph. 2. Written warning. 3. information about quitting smoking

4. Inverted columnar format

[figure]

1. Photograph. 2. Written warning. 3. Information about quitting smoking. 4. Top lid that folds back.

Minister of Health *Guntis Belevics*

