

**REPUBLIC OF MADAGASCAR**

**MINISTER OF PUBLIC HEALTH**  
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**DECREE No. 2010.1008**  
**concerning packaging and labeling of tobacco**  
**products for sale in Madagascar.**

**THE PRIME MINISTER HEAD OF THE TRANSITION GOVERNMENT,**

In light of the Constitution;

In light of Law No. 2004-029 of September 9, 2004, authorizing the ratification of the Framework Convention for Tobacco Control;

In light of Ordinance No. 2009-001 of March 17, 2009, conferring full powers on a Military Directorate;

In light of Ordinance No. 2009-002 of March 17, 2009, concerning the transfer of full powers to Mr. Andry Nirina RAJOELINA;

In light of the decision stated in Letter No. 79-HCC/G of March 18, 2009;

In light of ordinance No. 2009-012 of December 18, 2009, concerning the reorganization of the Transition Regime towards the 4<sup>th</sup> Republic;

In light of decision No. 23-HCCD1 of September 8, 2004, concerning Law No. 2004-029 authorizing the ratification of the Framework Convention of the World Health Organization;

In light of Decree No. 2005-0554 of August 30, 2005, concerning the creation of the National Office for Tobacco Control;

In light of Decree No. 2006-0452 of July 11, 2006, concerning the amendment of certain provisions of Decree No. 2005-0554 of August 30, 2005, concerning the creation of the National Office for Tobacco Control;

In light of Decree No. 2007-837 of September 25, 2007, concerning the organization and functioning of the National Office for Tobacco Control;

In light of Decree No. 2009-1388, of December 20, 2009, concerning the nomination of the Prime Minister Head of the Transition Government;

In light of Decree No. 2010-0759 of August 17, 2010, rescinding and amending certain provisions of Decree No. 2010-0360 of May 24, 2010, concerning the nomination of Members of the Government;

In light of Decree No. 2009-0543 of May 8, 2009, setting the attributions of the Minister of Commerce, as well as the general organization of his Ministry;

In light of Decree No. 2010-0372 of June 1, 2010, setting the attributions of the Minister of Public Health, as well as the general organization of his Ministry;

At the proposal of the Minister of Public Health;

In consultation with the Government, hereby

## DECREES:

**Article One.**- In application of the provisions of Article 11 of the Framework Convention for Tobacco Control of the WHO:

All packaging units of tobacco products of domestic or foreign manufacture intended for consumption in the territory of the Republic of Madagascar must bear the following statements and warnings:

1) For cigarettes:

- a) On one posterior surface of each pack there must appear the statement on the harmful effects of tobacco use in the Malagasy language;
- b) On one anterior surface of each pack there must appear a photo or image in color that corresponds to the text in 1(a);
- c) On one lateral surface of each pack there must appear the statement “Amidy eto Madagasikara”;
- d) On one prominent surface of each carton and box of packaging of 0.s cigarettes the text in 1(a) must appear.

2) For chewing tobacco:

- a) On one posterior surface of each packaging unit the statement on the harmful effects of tobacco use must appear in the Malagasy language;
- b) On one anterior surface of each packaging unit the statement “Amidy eto Madagasikara” must appear.

3) For snuff:

- a) On one posterior surface of each pack the statement on the harmful effects of tobacco use must appear in the Malagasy language;
- b) On one anterior surface of each pack a photo or image in color that corresponds to the text in 1(a) must appear;
- c) On one lateral surface of each pack the statement “Amidy eto Madagasikara” must appear.

**Article .2.**- Texts, images and photos used in Article 1 (a) (b) (d), 2 (a) (b), 3(a) (b) of this Decree shall occupy at least 50% of the surfaces on which they are printed, and have been approved by the competent authority, which is the Ministry of Health.

**Article .3.-** An order issued by the Minister of Health and the Minister of Commerce shall set the provisions for the implementation of this Decree.

**Article .4.-** The Minister of Public Health and the Minister of Commerce, each within the scope of his concerns, are charged with the execution of this Decree, which is to be published in the *Journal Officiel de la République*.

Done in Antananarivo on December 14, 2010

Brigadier General  
**ALBERT CAMILE VITAL**

By the Prime Minister Head of the  
Transition Government,  
The Minister of Public Health  
General Brigade Physician  
**RAJAONARISON Pascal Jacques**

The Minister of Commerce  
**MAHAZOASY Freddie**

Suitable for expansion  
Antananarivo, DEC 15, 2010

**SECRETARY GENERAL  
OF THE GOVERNMENT**  
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GOVERNMENT]

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**RALALA Roger**