

ORDER NO. 572 of March 30, 2007

regarding the alteration and completion of Order no. 764/2004 issued by the Minister of Health to approve the Norms concerning the use of color photographs or of other illustrations as part of health warning on tobacco packages

ISSUER: THE MINISTRY OF PUBLIC HEALTH

PUBLISHED IN: *MONITORUL OFICIAL (THE OFFICIAL MONITOR)* No. 251 of April 16, 2007

Considering the stipulations of Article 6, paragraph (2), letter h) of Law no. 349/2002 for the prevention and control of the effects of tobacco products consumption, with subsequent changes and additions, based on Government Decree no. 862/2006 regarding the organization and functioning of the Ministry of Public Health, and after having reviewed the Approval Report of the Public Health Authority no. EN 3.283/2007, the Minister of Public Health issues the following order:

#### ARTICLE 1

Order no. 764/2004 issued by the Minister of Health to approve the Norms regarding the use of color photographs or other illustrations as part of health warnings on tobacco packages, published in *Monitorul Oficial al României (The Official Monitor of Romania)*, Part I, no. 599 of July 2, 2004, will be altered and completed as follows:

1. After article 2, a new article, no. 3, will be introduced to state the following:  
“ARTICLE 3  
This order applies the stipulations of the European Commission Decree 2003/641/EC, supplemented by the European Commission Decree 26/V/2005 and the European Commission Decree 12/IV/2006”
2. On the Appendix, article 1 will be changed to state the following:  
“ARTICLE 1
  - (1) These norms establish the rules regarding the use of color photographs or other illustrations on tobacco packages and on exterior wrappings, with the purpose of presenting or explaining the health-related consequences of smoking
  - (2) Color photographs or other illustrations used with the purpose of presenting or explaining the health-related consequences of smoking, as well as the respective text of additional warnings stipulated by Law no. 349/2002 regarding the prevention and control of the effects of tobacco products consumption, with”

subsequent changes and additions, should be applied on the packages and exterior wrappings of all types of tobacco products, except for tobacco products that are not for smoking.”

3. On the Appendix, letter a) of Article 2 will be altered to state the following:  
“a) tobacco package – the smallest sellable unit of a tobacco product;”
4. On the Appendix, after Article 2, letter d), a new letter will be introduced, letter e), that will state the following:  
“e) exterior wrapping – the material or object used for wrapping several tobacco products packages with the purpose of selling an itemized tobacco product, except for the exterior additional transparent foil;
5. On the Appendix, paragraph (1) of Article 3, will be altered to state the following:  
“ARTICLE 3  
(1) The combined warning:
  - a) is alternatively typed in such a manner, that it will ensure the regular posting of one of the 14 combined warnings selected from the electronic Library of source documents of the European Commission;
  - b) is typed in the other large visible area of the tobacco package and of the exterior wrapping, preserving the format and proportions of the source document and the graphic integrity of the image and of the text;
  - c) covers the entire area reserved for the additional health warning and is positioned parallel to the upper edge of the tobacco package or of the exterior wrapping, in the same direction as the other information on the tobacco package or on the exterior wrapping;
  - d) is reproduced according to the printing technical specifications provided by the European Commission;
  - e) is located within a black frame with the width of minimum 3 mm (0.11 in) and maximum 4 mm (0.15 in), which does not interfere in any way with the textual or graphic elements of the combined warning;
  - f) covers at least 40% of the exterior side of the area on which it is typed.”
6. On the Appendix, after Article 3, paragraph (1), two new paragraphs - (1<sup>1</sup>) and (1<sup>2</sup>) - will be inserted as follows:

"(1<sup>1</sup>) If the size of the tobacco package or of the exterior wrapping requires an alteration of the size of the combined warning, such an alteration will be made based on the following rules:

- a) the graphic editing of the text is achieved by altering the font size and line spacing, so that the best legibility is ensured;
- b) with warnings for which the illustration is a text, the graphic editing is achieved by altering the font size and line spacing, and it will preserve the ratio between the area covered by the text that functions as an illustration and the text of the additional warning;
- c) with warnings in which the photograph or illustration is an image, the graphic editing will be achieved by a scale alteration of the photograph or illustration, and it will preserve the ratio between the area covered by the photograph or the illustration and the text of the additional warning;
- d) if the ratio between the height and the width of the combined warning is smaller than 0.8, and if the text of the additional warning, from the respective document in the electronic Library of source documents in Romanian, is placed under the photograph or illustration, then this text may be moved to the right of the photograph or illustration;
- e) if the ratio between the height and the width of the combined warning is greater than 1.2, and if the text of the additional warning, from the respective document in the electronic Library of source documents in Romanian, is placed near the photograph or illustration, then this text may be moved under the photograph or illustration.

(1<sup>2</sup>) The minimum requirements for typing combined warnings are: 4 colors/CMYK, 133 lines/inch."

#### ARTICLE 2

This order is published in *Monitorul Oficial al României (The Official Monitor of Romania)*, Part I.

Minister of Public Health,  
Gheorghe Eugen Nicolăescu

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