

Regulations for the Administration of the Display and the Labeling of Tobacco Products at Tobacco-Selling Premises (announced June 23, 2008)

Article 1

These Regulations are stipulated in accordance with Paragraph 2 of Article 10 of the Tobacco Hazards Prevention and Control Act (hereinafter referred to as “the THPCA”).

Article 2

This Regulation apply to the display of any tobacco product, tobacco product container or any object whose appearance, colour, size, material or textual and graphical warnings is similar to packages, cans, images or others of tobacco product containers.

Article 3

The following textual warnings shall be labelled in the Chinese language on a conspicuous spot at the tobacco-selling premises and the textual warnings shall not be smaller than 3 centimetres both in length and in width.

1. “Smoking harms health”
2. “Toll free smoking quitting hotline: 0800-636363”
3. “This premise does not provide tobacco products to those under the age of 18”
4. “Any one under the age of 18 may not smoke”
5. “No one may compel or induce pregnant women to smoke”

The textual warnings prescribed in the preceding paragraph shall be labelled together with the graphs provided in the attachment herein or any set of textual and graphical warnings used on containers of tobacco products.

The textual and graphical warnings prescribed in the preceding two paragraphs shall be fixed and adhered to the place for the display of tobacco products, which enable consumers to clearly identify them and shall not be removed or covered in any way.

Article 4

The display of tobacco products shall meet the following requirements:

1. Tobacco product display shall be at least 1.3 meters above the ground and shall be placed at least 2 meters away from the cashier counter. However, the display area of tobacco products that are located behind the counter where the clerk provides his/her services are exempt.
2. The total area of the display of tobacco products at each tobacco-selling premise shall not exceed 2 square meters.
3. The display of the same variant of tobacco products shall be limited to the largest area of the smallest unit of the tobacco product being sold at the premise.
4. The display of tobacco products shall not be facing unspecified people outside the selling premise. However, the display of tobacco products that is more than 2 meters away from the outside of the premise is exempt.
5. All health warning signs on containers of tobacco products shall be identifiable to consumers.

For any tobacco-selling premises that has a business area smaller than six square meters or that is a fixed street vendor, the first item of the previous paragraph does not apply.

Article 5

A tobacco-selling premise that is operated by a single business operator shall be limited to having only one place for the display of tobacco products. However, a department store or a large scaled-multiple business facility that has a total business area of 3,000 square meters or more with various merchandise retail sub-units may have one more tobacco product display area for every 3,000 square meters or an additional tobacco product display area that is less than 2 square meters.

The single business operator prescribed in the proviso of the preceding paragraph shall be the person who actually carries out the business. All relevant supporting documents shall be provided for assessment and inspection.

Article 6

The total area prescribed in Item 2, Paragraph 1 of Article 4 shall be calculated in accordance with the following methods:

1. The area of the tobacco product display area on the same flat surface shall be calculated based on the area of the rectangle formed with the two units of the farthest distance as diagonal line. Within that rectangle, the area where no tobacco products are displayed shall not be deducted.
2. If the tobacco product display area has multiple flat surfaces, it shall be calculated based on the sum of the areas of all flat surfaces calculated according to the preceding item. If there are no flat surfaces, the total tobacco product display area shall be calculated based on the total surface area thereof.
3. When there are tobacco products other than paper cigarettes that are displayed in moisture-proof chest, the display area of the moisture-proof chest shall be calculated based on the sum of the areas of all flat surfaces of that moisture-proof chest calculated in accordance with the preceding two items.

Article 7

The following situation is not subject to Items 1 to 3 of Paragraph 1 of Article 4, Article 5 and the preceding Article.

1. Premises used by a single business operator solely for the sale of tobacco products and liquor and other related products
2. Premises located inside restricted zones at international airports that are separated into independent areas and are used solely for the sale of tobacco products and liquor and other related products.

Article 8

Tobacco-selling premises may not display tobacco products by using digital screens, motion pictures, movable setting, sound, scent, light or any other means that attract people's attention.

Article 9

These Regulations shall come into force on 11 January 2009?

Attachment : 20080623 Product display implementation guideline.doc

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