

Ministry of Public Health

Montevideo, 1 September 2009

In view of: the provisions of Act No 18.256 of 6 March 2008 and of Decree No 284/008 of 9 June 2008;

From which it results that:

- I) In conformity with the said Act, this Ministry of State is charged with defining the typology, text, images and pictograms to be displayed on packs of tobacco products;
- II) Article 8 of Act No 18.256 prohibits the use of terms, descriptors, trademarks, figurative or any other signs that directly or indirectly create the false impression that a particular tobacco product is less harmful than other tobacco products;
- III) This responsibility is directly linked to the authority of the Ministry of Public Health for approving the guidelines or texts to be contained in the corresponding health warning, on the understanding that the said warning is to be modified periodically and that it shall contain images and/or pictograms;

Whereas:

- I) The health authority has defined six (6) images which are part of this Order and which shall occupy the lower 80% of both principal display areas of all packets of cigarettes and in particular packets and packs of tobacco products and all similar wrappings and labels;
- II) The said images are to be used in combination with the texts in the order and in the manner shown in the annexed model (front and back), an equal number of each type of pack design being printed for each brand available on the market;
- III) In accordance with the provisions of Article 44 of the Constitution of the Republic, the State is responsible for legislating on all matters relating to public health and hygiene, to improve the physical, moral and social condition of all the country's inhabitants;

Bearing in mind:

The considerations set forth above, the provisions of Article 44 of the Constitution of the Republic, Article 11 of Act No 9.202 – Basic public health Act – of 12 January 1934, the Framework Convention on Tobacco Control, ratified by Act No 17.793 of 16 July 2004, Article 9 of Act No 18.256 of 6 March 2008, Article 12 of Decree No 284/008 of 9 June 2008 and all other provisions amending or concurring with the above:

THE MINISTER OF PUBLIC HEALTH
DECIDES

1. The pictograms to be used on packs of tobacco shall be defined by six (6) images associated with the corresponding texts (front and back), which shall be printed on the lower 80% of both principal display areas of all packets of cigarettes and in general all packets and packs of tobacco products and all similar wrappings and

- labels in the order and manner shown in the annexed model, which is an integral part of this Order, an equal number of each type of pack design being printed for each brand available on the market.
2. One of the two side surfaces of packets of cigarettes and packs of tobacco products shall display on its entire surface the following text: “This product contains nicotine, tar and carbon monoxide” without any quantities being specified. The text shall be printed in black letters on a white background.
 3. Each brand of tobacco shall possess a single form of presentation, in which only the images and text may vary in accordance with paragraph 1 of this Order.
 4. This provision shall enter into force one hundred and eighty (180) days after the date of this Order.
 5. The Ministry of Public Health shall be empowered to impose the penalties set forth in the current State legislation on “health policing” for any breach of the provisions set forth above.
 6. For transmittal to the Technical Service responsible for communication and dissemination for publication on the Web and to the Directorate-General for Health for registration and archival.

Ord. No 466

(Signed)