

MINISTRY OF HEALTH

No: 02/2007/QĐ-BYT

SOCIALIST REPUBLIC OF VIETNAM

Independence - Liberty - Happiness

Hanoi, January 15, 2007

MINISTER OF HEALTH'S DECISION

**Regarding the Promulgation of Safety and Hygiene Regulations
for Tobacco Products**

THE MINISTER OF HEALTH

Pursuant to Decree No 49/2003/NĐ-CP dated May 15, 2003 regarding regulations of functions, responsibilities, authorities and organization structure of the Ministry of Health;

Pursuant to Ordinance on Food Safety and Hygiene No 12/PL-UBTVQH dated July 26, 2003 of the National Assembly Standing Committee and Government Decree No 163/2004/NĐ-CP dated 09/07/2004 stipulating in details some provisions of the Ordinance on Food Safety and Hygiene;

Pursuant to Ordinance on Quality of Goods No 18/1999/PL-UBTVQH dated December 24, 1999 of the National Assembly Standing Committee; Government Decree No 179/2004/NĐ-CP dated October 21, 2004 stipulating state products and goods management; Government Decree No 89/2006/NĐ-CP dated August 30, 2006 regarding goods labeling;

Pursuant to Government Resolution No 12/2000/NQ-CP, dated August 14, 2000 on the National Policy to Prevent and Combat Harm from Tobacco for the Period 2000 - 2010;

At the proposal of Science and Training Department Director, Food Safety and Hygiene Administration Director, Ministry of Health

HAS DECIDED:

Article 1. To promulgate the "Regulations on Safety and Hygiene for Tobacco Products" attached to this Decision.

Article 2. This Decision takes effect after 15 days from the Promulgation date. The Minister of Health's Decision No 2019/2000/QĐ-BYT dated 06/30/2000 regarding "Provisional Regulations on Hygiene for Cigarettes" is abrogated.

Article 3. These individuals: General Managers, Inspectors General of Ministry of Health, Directors of Departments: Legislation, Science and Training; Director of Food Safety and

Hygiene Administration, Health Department Directors of provinces, centrally-managed cities, Supervisors of relevant units under the Ministry of Health, Health care Supervisors are responsible for implementation of this Decision.

HAS STIPULATED
Safety and Hygiene for Tobacco Products
(*Issuance attached to the Minister of Health's Decision No 02/2007/QĐ-BYT*
dated January 15, 2007)

Chapter 1

GENERAL PROVISIONS

Article 1. Scope of Regulation and Subject of Application

1. This Regulation stipulates the safety and hygiene for tobacco products manufactured, marketed and consumed in Viet Nam.
2. This Regulation applies to both domestic and foreign entities participating in tobacco products manufacturing and trading activities within Viet Nam's territory.

Article 2. Interpretation of Terms

1. *Tobacco products* means products that are wholly or partly made from tobacco raw materials and processed in the form of cigarettes, cigars, tobacco fibers or other forms of product that are smoked, chewed, snuffed or sucked on.
2. *The Requirements for Safety and Hygiene for Tobacco Products* ensure that tobacco products are manufactured at facilities that meet the stipulated requirements for safety and hygiene and contain Tar concentration and Nicotine concentration in the smoke of one cigarette not to exceed the allowable limits as per this Regulation.
3. *Packaging of Tobacco Products* are either hard or soft sealed packagings, containing and in direct contact with tobacco products.
4. *Health Warnings* are text-only or pictorial messages that describe potential health hazards caused by the use (chew, suck on, smoke) of tobacco products.

Chapter 2

REQUIREMENTS FOR SAFETY AND HYGIENE FOR TOBACCO PRODUCTS

Article 3. Technical Requirements for Tobacco Products

Tobacco products manufactured, marketed and consumed within Viet Nam's territory shall meet the requirements for commodity product quality in accordance with TCVN 6666 :2000, TCVN 6667 :2000 and other technical standards for tobacco products.

Article 4. Concentrations of Harmful Materials in Tobacco Products

1. Tar and Nicotine concentrations in the smoke of one cigarette

Timeline	Maximum Tar Concentration	Maximum Nicotine Concentration
03/17/2008	22 mg	2.0 mg
03/17/2010	20 mg	1.8 mg
03/17/2012	18 mg	1.6 mg
03/17/2014	16 mg	1.4 mg

2. Prohibit the use of additives not on the list permitted by the Ministry of Health in tobacco manufacturing, processing and storage.

3. Regulations on the concentrations of harmful materials in tobacco products stipulated in Clause 1 of this Article apply to cigarettes only.

Article 5. Testing Procedures

Determinations of Tar concentration in accordance with TCVN 6680: 2000, of Nicotine in accordance with TCVN 6679:2000 apply to cigarettes only.

Chapter 3

REQUIREMENTS FOR MANDATORY LABELING ON TOBACCO PRODUCT PACKAGING

Article 6. Requirements for Product Labeling

Labeling of tobacco products packaging shall be implemented in accordance with applicable

regulations on goods labeling.

Article 7. Printing of Health Warnings

1. Contents of health warnings

a) Samples of health warnings: Tobacco product packagings manufactured, marketed and consumed in Viet Nam shall print one of the health warning samples issued in Appendix 1 or Appendix 2 attached to this Regulation.

b) Sections presenting health warnings specified in Paragraph a Clause 1 of this Article shall cover a surface area of at least 30% of the front and back surface areas of each tobacco product package.

c) Text-only health warnings shall be printed in black on white background or white on black background or with colors that contrast with tobacco product packaging for easy view, easy reading, using capitalisation, straight, non-bold style, with letter height at least 3 mm excluding diacritics. Health warnings shall be surrounded by black borders.

d) Pictorial health warnings: Pictorial sections shall be printed in no less than 4 colors, with resolution of no less than 300DPI (dot per inch).

2. Health warnings specified in Clause 1 of this Article

a) Shall be printed on main display surfaces (largest surface areas) of direct packaging of tobacco products and ensured that no parts of warning messages shall be covered or separated out when package is opened or closed.

b) Text and pictorial health warnings: Text shall be printed right underneath pictures.

3. For tobacco products hard or soft packaging, printed health warnings shall run in parallel with package's bottom edges and shall fully comply with requirements specified in Clauses 1 and 2 of this Article.

4. Each health warning sample specified in Paragraph a, Clause 1 of this Article shall be used in rotation once every 2 years on tobacco products packaging.

5. Timeline to implement warning messages

a) From 03/17/2008: apply text-only health warnings in accordance with Appendix 1 or text and pictorial warnings in accordance with Appendix 2 and shall fully comply with requirements specified in Clauses 2,3 and 4 of this Article.

b) After 03/17/2010 subject to economic-social conditions, the Ministry of Health shall stipulate the specific time at which it is mandatory to apply text and pictorial health warnings in accordance with Appendix 2./.