

**THE MINISTRY OF HEALTH –
THE MINISTRY OF INDUSTRY
AND TRADE**

No.: 05/2013/TTLT-BYT-BCT

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Hanoi, February 08, 2013

JOINT CIRCULAR
GUIDING THE LABELING, PRINTING OF HEALTH WARNINGS ON TOBACCO PACKAGES

Pursuant to the Law on tobacco harm prevention No. 09/2012/QH13, of June 18, 2012;

Pursuant to the Government's Decree No. 89/2006/ND-CP, of August 30, 2006 on labeling of goods;

Pursuant to the Government's Decree No. 63/2012/ND-CP, of August 31, 2012 defining the functions, tasks, powers and organizational structure of the Ministry of Health;

Pursuant to the Government's Decree No. 95/2012/ND-CP, of November 12, 2012 defining the functions, tasks, powers and organizational structure of the Ministry of Industry and Trade;

The Minister of Health, the Minister of Industry and Trade promulgate the Joint Circular guiding labeling, printing of health warnings on tobacco packages.

Article 1. Scope of regulation

This Joint Circular guides labeling, printing of health warnings on tobacco packages produced, imported for consumption in Vietnam.

Article 2. Interpretation of terms

Tobacco packages include packages, tubes, boxes containing tobacco and circulated together with tobacco.

Article 3. Requirements on labeling on tobacco packages

1. The labeling on tobacco packages must be complied with Law on tobacco harm prevention, provisions of law on labeling of goods and this Joint Circular.

2. Label of tobacco must show the following content:

- a) Name of goods;
- b) Name and address of organizations, individuals responsible for goods;
- c) Origin of goods (for import tobacco);
- d) Quantity of goods;
- dd) Health warnings;
- e) Stuck with stamp or printed code number, barcode.
- d) Day of production; day of expiration.

3. The tobacco label must be written in Vietnamese, prohibited to use forms or words causing consumers to be misunderstood on nature, influence of tobacco for health such as: Low tar, light, ultra light, mild or other words, phrases meaning or with a way to similarly understand which causing consumers to understand that this tobacco product has fewer influence than other, unless those words, phrases are a part of tobacco label which has been registered and protected on intellectual property in Vietnam before the effective day of Law on tobacco harm prevention

Article 4. Requirements for health warnings on tobacco packages

1. Form of health warnings:

Tobacco produced, imported for consumption in Vietnam must be printed health warnings on packages in accordance with provisions in Annex promulgated together with this Joint Circular. Health warnings must be assured to be printed visibly.

2. Position for printing Health warnings:

a) Health warnings must be printed on main face in front of and behind of tobacco packages and must assured not to be hidden or obscured by any materials, picture or other information, except for sticking tobacco stamp as prescribed by law.

If tobacco has many packages, the health warnings must be printed on all packages as prescribed by this Joint Circular.

In case tobacco package is used bag to enclose outside, the bag must be transparent, colorless and not hide the health warnings, except case when the bag is printed logo preventing counterfeits or fake goods of enterprise which has been registered and protected intellectual property in Vietnam before the issuance day of this Joint Circular.

b) Health warnings must be printed to be parallel and near to the over fringe of tobacco package.

3. Area for printing Health warnings:

Area for printing Health warnings must be covered at least 50% area of each main face in front of and behind of tobacco package.

4. Color of Health warnings:

Health warnings must be printed with 4 basic colors or more, definition upon printing not allowed being lower than 300DPI (dot per inch).

5. Alternate use of forms for health warnings:

a) Each kind of tobacco product of a tobacco trademark must be printed on tobacco package with one of 06 forms for health warnings specified in Annex promulgated together with this Joint Circular. Kinds of tobacco product of a tobacco trademark of various tobacco trademarks of a producer must be printed with various forms for health warnings. If a tobacco trademark has more than 06 kinds of products, a producer had more than 06 tobacco trademarks, it is required to simultaneously print sufficient 06 forms for health warnings.

b) Forms for health warning of each kind of tobacco product must be changed periodically 02 year once.

Article 5. Effect

1. This Joint Circular takes effect on May 01, 2013.

2. To annul regulations on labeling, printing health warnings on tobacco packages at the Decision No. 02/2007/QĐ-BYT, of January 15, 2007 of the Minister of the Ministry of Health on hygiene and safety for tobacco products as from the effective day of this Joint Circular.

Article 6. Transitional provisions

1. Tobacco products in soft bag produced, imported from May 01, 2013 in order to consume in Vietnam must be printed health warnings on tobacco packages as prescribed in this Joint Circular, and within not later than 06 months from the issuance day of this Joint Circular.

2. Tobacco products in hard bag produced, imported from May 01, 2013 in order to consume in Vietnam must be printed health warnings on tobacco packages as prescribed in this Joint Circular, and within not later than 10 months from the issuance day of this Joint Circular.

3. Enterprises producing, importing cigarette take responsibility for declaration of quantity of tobacco bag, tube or box which have been labeled, printed health warning as prescribed by law before May 01, 2013 and report the Ministry of Health, the Ministry of Industry and Trade for handling of each specified case.

Article 7. Responsibilities for implementation

1. Foreign and domestic organizations, individuals participating in tobacco business operation in Vietnam are responsible for performance of labeling, printing health warnings in accordance with provisions in this Joint Circular.

2. The Ministry of Health assigns the Administration of medical examination and treatment, the Ministry of Industry and Trade assigns the Department of Science and Technology to be responsible for guidance, implementation and inspection of implementation of this Joint Circular.

3. People's Committees of central-affiliated cities and provinces shall direct Directors of the provincial Departments of Health, Directors of the Services of Industry and Trade in guidance, organization to implement and inspection of implementation of this Joint Circular in their localities.

In the course of implementation, any arising problems should be reported to the Ministry of Health (Administration of medical examination and treatment), the Ministry of Industry and Trade (Department of Science and Technology) for research and settlement.

**FOR THE MINISTER OF INDUSTRY
AND TRADE
DEPUTY MINISTER**

**FOR THE MINISTER OF HEALTH
DEPUTY MINISTER**

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