



# Smoke-free Environments Regulations 2007

Anand Satyanand, Governor-General

## Order in Council

At Wellington this 26th day of February 2007

Present:

His Excellency the Governor-General in Council

Pursuant to section 39 of the Smoke-free Environments Act 1990, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

### Contents

	Page
1 Title	3
2 Commencement	4
<b>Part 1</b>	
<b>Preliminary provisions</b>	
3 Interpretation	4
4 Meaning of tobacco package	6
5 Shapes and areas	6
<b>Part 2</b>	
<b>Labelling of retail packages</b>	
Subpart 1—Overview of labelling requirements	
6 Overview of labelling requirements	7

Subpart 2—Cigarettes and loose or pipe tobacco		
7	Labelling of retail packages: cigarettes	8
8	Labelling of retail packages: loose or pipe tobacco	8
<i>Format of warning and corresponding explanatory messages</i>		
9	Format of warning message and corresponding explanatory message: cigarettes and loose or pipe tobacco	8
<i>Format of information message</i>		
10	Format of information message: cigarettes and loose or pipe tobacco	10
<i>Rotation of messages and graphics</i>		
11	Rotation of messages and graphics: cigarettes and loose or pipe tobacco	11
12	Changeover of messages and graphics: cigarettes and loose or pipe tobacco	12
Subpart 3—Cigars		
13	Labelling of retail packages: cigars	12
<i>Format of warning and corresponding explanatory messages</i>		
14	Format of warning message and corresponding explanatory message: cigars	12
<i>Rotation of messages and graphics</i>		
15	Rotation of messages and graphics: cigars	13
Subpart 4—Retail packages containing bidis		
16	Labelling of retail packages: bidis	14
<i>Format of warning messages</i>		
17	Format of warning message: bidis	14
<i>Rotation of warning messages</i>		
18	Rotation of warning messages: bidis	14
Subpart 5—Retail packages containing other tobacco products		
19	Labelling of retail packages: other tobacco products	15
<i>Format of warning messages</i>		
20	Format of warning message: other tobacco products	15
<i>Rotation of warning messages</i>		
21	Rotation of warning messages: other tobacco products	16

	Subpart 6—General provisions	
22	Messages and corresponding graphics not to be obscured, etc	16
23	Use of adhesive labels	16
24	Corresponding graphics not to be distorted	17
25	Corresponding graphics: permitted variations	17
26	Ministry of Health warning	18

### Part 3

#### Other matters

27	Price lists given to retailers	18
28	Manufactured cigarettes to be tested	18
29	Conduct of tests of manufactured cigarettes	19
30	Display of retailers' names and trade names outside shops	19
31	Vending machines	20
32	Returns and reports	20

#### *Revocation and savings*

33	Revocation	20
34	Transitional provision	20

#### Schedule 1

##### Requirements for labelling of retail packages

#### Schedule 2

##### Warning messages, corresponding explanatory messages, and corresponding graphics

#### Schedule 3

##### Layouts for labelling of retail packages

#### Schedule 4

##### Information message and Quitline logo

#### Schedule 5

##### Form of return

#### Schedule 6

##### Form of report

	Schedule 1	22
	Schedule 2	38
	Schedule 3	48
	Schedule 4	52
	Schedule 5	53
	Schedule 6	54

## Regulations

### 1 Title

These regulations are the Smoke-free Environments Regulations 2007.

## 2 Commencement

These regulations come into force on 28 February 2008.

# Part 1

## Preliminary provisions

### 3 Interpretation

(1) In these regulations, unless the context otherwise requires,—

**Act** means the Smoke-free Environments Act 1990

**bidi** means a small, often flavoured, cigar wrapped in tendu leaf or the leaf of another plant

**carton** means a package comprising 2 or more tobacco packages within—

(a) a container; or

(b) a wrapper that obscures or tends to obscure any writing on any of those tobacco packages that would be legible if it were completely transparent

**cigar** means a tobacco product comprising a roll of tobacco leaf or cut tobacco, enclosed in tobacco leaf or the leaf of another plant

**cigarette** means a tobacco product comprising a roll of cut tobacco enclosed in paper

**cigarette pack** means a retail package containing cigarettes

**corresponding explanatory message**, in relation to a warning message set out in Schedule 2, means the explanatory message that appears in the same item as the warning message

**corresponding graphic**, in relation to a warning message set out in Schedule 2, means the graphic that appears in the same item as the warning message

**cylindrical** means having a circular or elliptical cross section

**displayed**, in relation to any package, face, or flap, means displayed on the outside of the package, face, or flap

**face**, in relation to a retail package, means a more or less flat area of the surface of the package that is bounded by the edges of the package

**flip-top pack** means a retail package of the kind commonly called a flip-top pack, a hinge-top pack, or a hinge-lid box

**graphic** means a colour graphic set out in the fourth column of Schedule 2

**information message** means the message set out in Part 1 of Schedule 4

**larger**, in relation to a face, means of greater area; but, in relation to a retail package with 2 or more faces of equal area that are larger than any other,—

- (a) the largest faces means those faces; and
- (b) the largest face means any of those faces

**message** means a warning message or corresponding explanatory message

**other tobacco product** means any tobacco product other than cigarettes, loose or pipe tobacco, cigars, or bidis

**pouch pack** means a retail package made, from flexible material, in the form of a rectangular pocket with a flap covering the opening

**Quitline logo** means the logo printed in black on a white background and in white on a black background set out in Part 2 of Schedule 4

**rectangular** includes square

**retail package**—

- (a) means a tobacco package intended for retail sale as a single unit; and
- (b) if a retail package is a carton, includes every tobacco package it contains (whether or not it is intended for retail sale as a single unit)

**sides**,—

- (a) in relation to any cylindrical cigarette pack, means the 2 parts of the curved surface of the pack forming the cross section that, if the vertical centre line of the largest brand-name on that surface is taken to be 0°, extend around the cross section—
  - (i) from 60° to 120°; and
  - (ii) from 240° to 300°;
- (b) in relation to any cigarette pack with 2 hexagonal and 6 rectangular faces, or 2 octagonal and 8 rectangular faces, means the rectangular faces except the front and back;
- (c) in relation to any cigarette pack that is a cuboid carton, means the larger 2 of the 4 faces except the front and back;

- (d) in relation to any other cigarette pack, means the surfaces of the pack, except the front and back, that are vertical when it is held so that the axis of the cigarettes within it is vertical

**soft pack** means a retail package of the kind commonly called a soft package or a soft cup

**tobacco package** has the meaning given to it by regulation 4

**warning message** means a message set out in the second column of Schedule 2

**wrapper** means a wrapping containing a retail package or several retail packages and includes a non-removable adhesive label or sticker securely attached to it.

- (2) A tobacco package may be intended for retail sale as a single unit, even if it is also intended for any or all of the following:
- (a) sale of any other kind:
  - (b) transporting retail packages contained within it:
  - (c) holding or displaying, for separate retail sale, retail packages contained within it.

Compare: SR 1999/70 r 2

#### 4 Meaning of tobacco package

- (1) In these regulations, unless the context otherwise requires, **tobacco package**—
- (a) means a package containing a tobacco product or products and includes a carton; but
  - (b) does not include a wrapper or container containing a single cigar.
- (2) A non-removable adhesive label or sticker securely attached to a tobacco package is part of the tobacco package.
- (3) A wrapper that contains a single tobacco package and is normally removed from the package when the package is opened is not part of the tobacco package.

Compare: SR 1999/70 r 3

#### 5 Shapes and areas

For the purposes of these regulations,—

- (a) in determining whether an area of a retail package is more or less flat, decorative ridges, embossing, bulges, and other irregularities must be disregarded:

- (b) a soft pack must be treated as being a rectangular solid with 6 flat faces whose edges are equal in length to the corresponding edges of the smallest rectangular solid into which it will fit when not compressed:
- (c) a face of a retail package (except a soft pack) that has rounded corners but is otherwise rectangular must, except for the purpose of calculating its area, be treated as being rectangular:
- (d) the surface area of a retail package is the area that would be covered by its outer layer if opened out and pressed flat (less any area of the outer layer that is covered by a flap when the package is closed):
- (e) in determining the shape of, or the surface area of any part of, a retail package,—
  - (i) the package must be considered when it is closed; and
  - (ii) all edges, gaps, and openings appearing when it is opened must be disregarded:
- (f) a face of a retail package—
  - (i) has a portrait orientation if, when the largest brand name on the face is read, the longest edge of the face is vertical:
  - (ii) has a landscape orientation if, when the largest brand name on the face is read, the longest edge of the face is horizontal.

Compare: SR 1999/70 r 5

## **Part 2**

### **Labelling of retail packages**

#### **Subpart 1—Overview of labelling requirements**

#### **6 Overview of labelling requirements**

- (1) This Part sets out labelling requirements for retail packages of cigarettes, loose or pipe tobacco, cigars, bidis, and other tobacco products.
- (2) Retail packages of cigarettes, loose or pipe tobacco, and cigars must be labelled in accordance with this Part and the following schedules:
  - (a) Schedule 1, which sets out the face, content, and specifications for labelling:

- (b) Parts 1 to 3 of Schedule 2, which sets out the warning messages, corresponding explanatory messages, and corresponding graphics that must be printed on the labels;
  - (c) Schedule 3, which sets out the various layouts for labelling;
  - (d) Schedule 4, which sets out the information message and the Quitline logo.
- (3) Retail packages of bidis and other tobacco products must be labelled in accordance with this Part and Parts 3 and 4 of Schedule 2 (which sets out the warning messages that must be printed on the labels).

## Subpart 2—Cigarettes and loose or pipe tobacco

### **7 Labelling of retail packages: cigarettes**

A retail package containing cigarettes must be labelled in accordance with—

- (a) Part 1 of Schedule 1; and
- (b) Part 1 of Schedule 2; and
- (c) Part 1 of Schedule 3; and
- (d) Schedule 4.

### **8 Labelling of retail packages: loose or pipe tobacco**

A retail package containing loose or pipe tobacco must be labelled in accordance with—

- (a) Part 2 of Schedule 1; and
- (b) Part 1 of Schedule 2; and
- (c) Part 1 of Schedule 3; and
- (d) Schedule 4.

## *Format of warning and corresponding explanatory messages*

### **9 Format of warning message and corresponding explanatory message: cigarettes and loose or pipe tobacco**

- (1) This regulation applies to—
- (a) the warning message in English that must be displayed on the front face of a retail package containing cigarettes or loose or pipe tobacco; and



- (b) the warning message in English and te reo Māori and the corresponding explanatory message that must be displayed on the back face of a retail package containing cigarettes or loose or pipe tobacco.
- (2) The text of the warning message in English that must be displayed on the front face of a retail package must be printed—
- (a) in black on a yellow background; and
  - (b) in the typeface known as Helvetica; and
  - (c) in bold type and in upper-case and lower-case letters as the text of the warning messages is set out in Part 1 of Schedule 2, in type that—
    - (i) is clear and legible; and
    - (ii) subject to regulation 26 (which relates to the optional Ministry of Health warning), is of the same size throughout the message; and
    - (ii) is of such a size that the text, as nearly as possible, fills the background on which it is printed; and
  - (d) if required, within a black rectangular border (up to 0.3 mm wide) to prevent printing colour bleeds.
- (3) The text of the warning message in English and te reo Māori that must be displayed on the back face of a retail package must be printed—
- (a) in black on a yellow background for the English element of the message; and
  - (b) in white on a black background for the te reo Māori element of the message; and
  - (c) in the typeface known as Helvetica; and
  - (d) in bold type and in upper-case and lower-case letters as the text of the warning messages is set out in Part 1 of Schedule 2, in type that—
    - (i) is clear and legible; and
    - (ii) may be of different point size for the English element and the te reo Māori element of the message; and
    - (iii) is of such a size that the text, as nearly as possible, fills the background on which it is printed.

- (4) The text of the corresponding explanatory message that must be displayed on the back face of a retail package must be printed,—
- (a) for that part of the message except the sentences “You **CAN** quit smoking. Call **Quitline 0800 778 778** or talk to a quit smoking provider.”, in black on a yellow background; and
  - (b) for the sentences “You **CAN** quit smoking. Call **Quitline 0800 778 778** or talk to a quit smoking provider.”, in white on a black background; and
  - (c) in the typeface known as Helvetica; and
  - (d) in upper-case and lower-case letters as the text of the corresponding explanatory messages is set out in Part 1 of Schedule 2, in type that is—
    - (i) clear and legible; and
    - (ii) of the same point size throughout the message; and
    - (iii) of such a size that the text, as nearly as possible, fills the background on which it is printed.
- (5) For the purposes of subclause (3),—
- (a) the English element of the warning message must comprise the top 50% of the warning message; and
  - (b) the te reo Māori element of the warning message must comprise the bottom 50% of the warning message.

*Format of information message*

**10 Format of information message: cigarettes and loose or pipe tobacco**

- (1) This regulation applies to the information message that must be displayed on a retail package containing cigarettes or loose or pipe tobacco.
- (2) The text of the information message must be printed—
- (a) in white on a black background; and
  - (b) in the typeface known as Helvetica; and
  - (c) in bold type and in upper-case and lower-case letters as the text of the message is set out in Part 1 of Schedule 4, in type that is—
    - (i) clear and legible; and
    - (ii) of such a size that the text, as nearly as possible, fills the background on which it is printed.

*Rotation of messages and graphics***11 Rotation of messages and graphics: cigarettes and loose or pipe tobacco**

- (1) The manufacturer or importer of retail packages of cigarettes and loose or pipe tobacco must, in relation to the specified periods,—
  - (a) print the relevant warning messages, corresponding explanatory messages, and corresponding graphics on the retail packages (or ensure that they are printed on the retail packages of cigarettes or loose or pipe tobacco, as the case may be); and
  - (b) ensure that during those specified periods, each warning message, corresponding explanatory message, and corresponding graphic appears as nearly as possible on an equal number of retail packages of each different brand of cigarettes or loose or pipe tobacco.
- (2) The relevant warning messages, corresponding explanatory messages, corresponding graphics, and specified periods are—
  - (a) the warning messages, corresponding explanatory messages, and corresponding graphics set out in items 1 to 7 of Part 1 of Schedule 2 for the period—
    - (i) 28 February 2008 to 28 February 2009;
    - (ii) of 10 months beginning on 1 March in a year ending with an even number:
  - (b) the warning messages, corresponding explanatory messages, and corresponding graphics set out in items 8 to 14 of Part 1 of Schedule 2 for the period—
    - (i) 1 March 2009 to 1 March 2010;
    - (ii) of 10 months beginning on 1 March in a year ending with an odd number.
- (3) For the purposes of subclause (1)(b), cigarettes and loose or pipe tobacco (as the case may be) are of a different brand if—
  - (a) they are sold under different brand names; or
  - (b) they are sold under the same brand name but differ in 1 or more of the following ways:
    - (i) containing or not containing menthol;
    - (ii) being otherwise differently flavoured;
    - (iii) producing different quantities of tar;
    - (iv) allegedly differing in “mildness”:

- (v) having or not having filter tips or cork tips;
  - (vi) being sold in retail packages containing different numbers of pieces;
  - (vii) being of different length or mass.
- (4) For the purposes of subclause (2)(a)(ii), a year ending with a zero is to be treated as a year ending with an even number.

## **12 Changeover of messages and graphics: cigarettes and loose or pipe tobacco**

In the period of 4 months beginning on 1 January in a year, a retail package for cigarettes or loose or pipe tobacco may display the warning messages, corresponding explanatory messages, or corresponding graphics set out in any of items 1 to 14 of Part 1 of Schedule 2.

### Subpart 3—Cigars

## **13 Labelling of retail packages: cigars**

A retail package containing cigars must be labelled in accordance with—

- (a) Part 3 of Schedule 1; and
- (b) Part 2 of Schedule 2; and
- (c) Part 2 of Schedule 3.

### *Format of warning and corresponding explanatory messages*

## **14 Format of warning message and corresponding explanatory message: cigars**

- (1) This regulation applies to—
- (a) the warning message in English and te reo Māori that must be displayed on the front face of a retail package containing cigars; and
  - (b) the warning message in English and the corresponding explanatory message that must be displayed on the back face of a retail package containing cigars.
- (2) The text of the warning message in English and te reo Māori that must be displayed on the front face of a retail package must be printed—
- (a) in bold type in black on a yellow background for the English element of the message; and

- (b) in black on a yellow background for the te reo Māori element of the message; and
  - (c) in the typeface known as Helvetica; and
  - (d) in upper-case and lower-case letters as the text of the warning messages is set out in Part 2 of Schedule 2, in type that is—
    - (i) clear and legible; and
    - (ii) subject to regulation 26 (which relates to the optional Ministry of Health warning) of the same point size throughout the message; and
    - (iii) of such a size that the text, as nearly as possible, fills the background on which it is printed; and
  - (e) if required, within a black rectangular border (up to 0.3 mm wide) to prevent printing colour bleeds.
- (3) The text of the warning message in English and of the corresponding explanatory message that must be displayed on the back face of a retail package must be printed,—
- (a) for the warning message, in bold type in white on a black background; and
  - (b) for the corresponding explanatory message, in black on a yellow background; and
  - (c) in the typeface known as Helvetica; and
  - (d) in upper-case and lower-case letters as the text of the warning messages and corresponding explanatory messages is set out in Part 2 of Schedule 2, in type that—
    - (i) is clear and legible; and
    - (ii) of such a size that the text, as nearly as possible, fills the background on which it is printed.

### *Rotation of messages and graphics*

#### **15 Rotation of messages and graphics: cigars**

- (1) The manufacturer or importer of retail packages of cigars must, in relation to each 12-month period beginning on 1 March in any year,—
- (a) print each warning message, corresponding explanatory message, and corresponding graphic on the retail packages (or ensure that they are printed on the retail packages of cigars); and
  - (b) ensure that during that 12-month period, each warning message, corresponding explanatory message, and

corresponding graphic appears as nearly as possible on an equal number of retail packages of each different brand of cigars.

- (2) For the purposes of subclause (1)(b), cigars are of a different brand if—
- (a) they are sold under different brand names; or
  - (b) they are sold under the same brand name, but differ in 1 or more of the following ways:
    - (i) being otherwise differently flavoured;
    - (ii) being sold in retail packages containing different numbers of pieces;
    - (iii) being of different length or mass.

#### Subpart 4—Retail packages containing bidis

#### 16 Labelling of retail packages: bidis

A retail package containing bidis must display a warning message set out in Part 3 of Schedule 2.

##### *Format of warning messages*

#### 17 Format of warning message: bidis

The text for a warning message that must be displayed on a retail package containing bidis must be printed—

- (a) in black on a white rectangle measuring at least 50 mm x 20 mm that is positioned lengthwise along the package; and
- (b) in the typeface known as Helvetica; and
- (c) in bold type and in upper-case letters as the text of the message is set out in Part 3 of Schedule 2, in type that is—
  - (i) clear and legible; and
  - (ii) of such a size that the text, as nearly as possible, fills the background on which it is printed.

##### *Rotation of warning messages*

#### 18 Rotation of warning messages: bidis

- (1) The manufacturer or importer of retail packages of bidis must, in relation to each 12-month period beginning on 1 March in any year,—

- (a) print each warning message on the retail packages (or ensure that they are printed on the retail packages of bidis); and
  - (b) ensure that during that 12-month period, each warning message appears as nearly as possible on an equal number of retail packages of each different brand of bidis.
- (2) For the purposes of subclause (1)(b), bidis are of a different brand if—
- (a) they are sold under different brand names; or
  - (b) they are sold under the same brand name but differ in 1 or more of the following ways:
    - (i) being sold in retail packages containing different numbers of pieces;
    - (ii) being otherwise differently flavoured;
    - (iii) allegedly differing in “mildness”;
    - (iv) being of different length or mass.

### Subpart 5—Retail packages containing other tobacco products

#### **19 Labelling of retail packages: other tobacco products**

A retail package containing any other tobacco product must display a warning message set out in Part 4 of Schedule 2.

#### *Format of warning messages*

#### **20 Format of warning message: other tobacco products**

The text for a warning message that must be displayed on a retail package containing any other tobacco product must cover at least 30% of the total area of the face of the package and be printed—

- (a) in black on a white background; and
- (b) in the typeface known as Helvetica; and
- (c) in bold type and in upper-case letters as the text of the message is set out in Part 4 of Schedule 2, in type that is—
  - (i) clear and legible; and
  - (ii) of such a size that the text, as nearly, as possible, fills the background on which it is printed.

*Rotation of warning messages***21 Rotation of warning messages: other tobacco products**

- (1) The manufacturer or importer of retail packages of other tobacco products must, in relation to each 12-month period beginning on 1 March in any year,—
  - (a) print each warning message on the retail packages (or ensure that they are printed on the retail packages of other tobacco products); and
  - (b) ensure that during that 12-month period, each warning message appears as nearly as possible on an equal number of retail packages of each different brand of other tobacco products.
- (2) For the purposes of subclause (1)(b), other tobacco products are of a different brand if—
  - (a) they are sold under different brand names; or
  - (b) they are sold under the same brand name but differ in 1 or more of the following ways:
    - (i) being sold in retail packages containing different numbers of pieces;
    - (ii) being otherwise differently flavoured;
    - (iii) allegedly differing in “mildness”;
    - (iv) being of different length or mass.

**Subpart 6—General provisions****22 Messages and corresponding graphics not to be obscured, etc**

- (1) If a warning message, corresponding explanatory message, or corresponding graphic that is required by this Part to be printed on a retail package is likely to be obscured or obliterated by a wrapper on the package, the message or graphic must be printed on both the wrapper and the package.
- (2) A warning message, corresponding explanatory message, or corresponding graphic (except a message or graphic on a carton) must not be likely to be obliterated, removed, or rendered permanently unreadable when the retail package on which it is printed is opened in the normal way.

**23 Use of adhesive labels**

- (1) A warning message, corresponding explanatory message, or corresponding graphic that is required by this Part to be



printed on a retail package (except a flip-top pack, soft pack or carton containing cigarettes) may be printed on an adhesive label that is affixed to the retail package.

- (2) An adhesive label must—
  - (a) comply with this Part in all respects except as specifically permitted by this regulation; and
  - (b) be affixed to the face of the retail package on which the message that it displays is required to be printed; and
  - (c) be fastened firmly to the retail package so as not to be easily removable without significant destruction of the package.

## 24 Corresponding graphics not to be distorted

Subject to regulation 25, a corresponding graphic that is required by this Part to be printed on a retail package must not be distorted.

## 25 Corresponding graphics: permitted variations

- (1) A corresponding graphic that is required by this Part to be printed on a retail package may be cropped only if—
  - (a) it is necessary to do so to fit the graphic onto the retail package; and
  - (b) the overall effect of the graphic is not affected by the cropping.
- (2) If a corresponding graphic that is required by this Part to be printed on a retail package contains a horizontal, vertical, diagonal or similar division that divides the graphic into parts (**old parts**), the graphic may be printed with a different division only if—
  - (a) the different division divides the graphic into equal parts (**new parts**); and
  - (b) the old parts are cropped and placed within the new parts; and
  - (c) the overall effect of the graphic is not affected by the new division.
- (3) If a corresponding graphic that is required by this Part to be printed on a retail package contains an overlay of a message in text, the overlay may be placed in a different position only if—

- (a) the overlay is completely contained within the graphic; and
- (b) the overall effect of the graphic is not affected by the new position of the overlay.

## **26 Ministry of Health warning**

- (1) This regulation applies to—
  - (a) the warning message that must be displayed on the front face of a retail package containing cigarettes or loose or pipe tobacco; and
  - (b) the warning message that must be displayed on the front face or the back face of a retail package containing cigars.
- (2) The warning message may include the attribution “Ministry of Health Warning” printed after the rest of the warning message in type of a point size not greater than 40% of the point size of the type used for the remainder of the message.
- (3) If the attribution “Ministry of Health Warning” is included in a warning message—
  - (a) it is part of the text of the message; and
  - (b) the provisions of these regulations relating to warning messages apply accordingly.

Compare: SR 1999/70 r 27

## **Part 3 Other matters**

### **27 Price lists given to retailers**

For the purposes of section 22(2) of the Act, price lists given to retailers of tobacco products must contain the message “Smoking Causes Fatal Diseases” on each side of every page, in 24-point type, in upper-case Univers medium condensed Roman typeface.

Compare: SR 1999/70 r 31

### **28 Manufactured cigarettes to be tested**

Manufactured cigarettes are a prescribed class of tobacco products for the purposes of section 33 of the Act.

Compare: SR 1999/70 r 32

**29 Conduct of tests of manufactured cigarettes**

Tests for the harmful constituents of brands of manufactured cigarettes, and the respective quantities of those constituents present in the smoke, must be conducted in accordance with the following standard methods published by the International Organization for Standardization (ISO):

- (a) for tar, ISO 4387:1991(E) (Determination of total and nicotine-free dry particulate matter using a routine analytical smoking machine):
- (b) for nicotine, ISO 10315:1991(E) (Cigarettes—determination of nicotine in smoke condensates—gas chromatographic method):
- (c) for carbon monoxide, ISO 8454:1995(E) (Cigarettes—determination of carbon monoxide in the vapour phase of cigarette smoke—NDIR method):
- (d) for tar, nicotine, and carbon monoxide, in addition to the applicable standard method specified in paragraph (a), (b), or (c),—
  - (i) ISO 3308:1991(E) (Routine analytical cigarette-smoking machine—definitions and standard conditions); and
  - (ii) ISO 8243:1991(E) (Cigarettes—sampling); and
  - (iii) ISO 3402:1991(E) (Tobacco and tobacco products—atmosphere for conditioning and testing).

Compare: SR 1999/70 r 33

**30 Display of retailers' names and trade names outside shops**

If a retailer's name or trade name contains any word or expression signifying that any tobacco product is available for purchase in the retailer's place of business, its display on the exterior of that place is in accordance with these regulations if—

- (a) it is not displayed more than twice on that exterior; or
- (b) each display of the name or trade name on that exterior is accompanied, immediately beneath it, by a warning message, in lettering not less than half the size of the name or trade name.

Compare: SR 1999/70 r 34

**31 Vending machines**

- (1) If a tobacco product is offered for sale by way of an automatic vending machine, the area that is used to depict or identify each brand of that product and its price on the machine must not exceed 90 mm x 55 mm.
- (2) An automatic vending machine from which a tobacco product is offered for sale must display on the front of the machine the health message “Smoking Causes Fatal Diseases”,—
  - (a) in the case of a vending machine from which not more than 8 brands of the product are offered for sale, in Helvetica bold condensed lettering of 48-point type; and
  - (b) in the case of a vending machine from which more than 8 brands of the product are offered for sale, in Helvetica bold condensed lettering that occupies not less than 25% of the aggregate area used for the brand display with the point size being increased in proportion.
- (3) The attribution “Ministry of Health Warning” must appear in upper and lower case on a separate line below the health message in Univers light condensed 9 point.

Compare: SR 1999/70 r 35

**32 Returns and reports**

- (1) A return required by section 35(1) of the Act to be filed with the Director-General must be in the form in Schedule 5.
- (2) A report required by section 35(1) of the Act to be filed with the Director-General must be in the form in Schedule 6.

Compare: SR 1999/70 r 36

*Revocation and savings***33 Revocation**

The Smoke-free Environments Regulations 1999 (SR 1999/70) are revoked.

**34 Transitional provision**

- (1) This regulation applies to retail packages—
  - (a) manufactured and packaged (whether in New Zealand or elsewhere) before the commencement of these regulations; and

- (b) sold or offered for sale during the period beginning on the commencement of these regulations and ending with the close of 28 August 2008.
- (2) A retail package to which this regulation applies—
- (a) is not required to be labelled in accordance with Part 2 and Schedules 1 to 4 of these regulations; but
  - (b) is required to be labelled in accordance with Part 1 and Schedules 1 to 4 of the Smoke-free Environments Regulations 1999 as if those regulations had not been revoked by regulation 33.
-

rr 7, 8, 13

## Schedule 1

### Requirements for labelling of retail packages

#### Part 1—Cigarettes

<b>Item 1</b>	<b>Flip-top pack</b>		
<b>Face</b>	<i>Front</i>	<i>Back</i>	<i>Side</i>
<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quitline logo.	Information message.
<b>Specifications</b>	The warning message in English and corresponding graphic must— <ul style="list-style-type: none"> <li>(a) cover at least 30% of the total area of the front face; and</li> <li>(b) be positioned parallel to, and as close as possible to, the top edge of the front face; and</li> <li>(c) extend as close as possible to the side edges of the front face.</li> </ul>	The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must— <ul style="list-style-type: none"> <li>(a) cover at least 90% of the total area of the back face; and</li> <li>(b) be positioned parallel to, and as close as possible to, the top edge of the back face; and</li> <li>(c) extend as close as possible to the side edges of the back face.</li> </ul>	The information message must cover the total area of 1 side of the pack, except the area that forms part of the flip-top.
<b>Layout</b>	Front layout 1 specified in Part 1 of Schedule 3.	Back layout 1 specified in Part 1 of Schedule 3.	
<b>Item 2</b>	<b>Soft pack with seal that is not clear</b>		
<b>Face</b>	<i>Front</i>	<i>Back</i>	<i>Side</i>
<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, Quitline logo and telephone number.	Information message.

Part 1—*continued***Item 2**—*continued*

<b>Specifications</b>	The warning message in English and corresponding graphic must— (a) cover at least 30% of the total area of the front face; and (b) be positioned immediately below the seal, parallel to, and as close as possible to, the top edge of the front face so that the warning message in English and the corresponding graphic will not be obscured, severed, or obliterated when the pack is opened; and (c) extend as close as possible to the side edges of the front face.	The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must— (a) cover the total area of the back face that is below the seal; and (b) be positioned immediately below the seal, parallel to, and as close as possible to, the top edge of the back face so that the warning message, corresponding explanatory message, and corresponding graphic will not be obscured, severed, or obliterated when the pack is opened; and (c) extend as close as possible to the side edges of the back face.	The information message must cover the total area of 1 side of the pack.
<b>Layout</b>	Front layout 1 specified in Part 1 of Schedule 3.	Back layout 1 specified in Part 1 of Schedule 3.	
<b>Item 3</b> <b>Soft pack with clear seal</b>			
<b>Face</b>	<i>Front</i>	<i>Back</i>	<i>Side</i>
<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quiltline logo.	Information message.
<b>Specifications</b>	The warning message in English and corresponding graphic must— (a) cover at least 30% of the total area of the front face; and (b) be positioned parallel to, and as close as possible to, the top edge of the front face; and	The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must— (a) cover at least 90% of the total area of the back face; and (b) be positioned parallel to, and as close as possible to, the top edge of the back face; and	The information message must cover the total area of 1 side of the pack.

Part 1—*continued***Item 3—*continued***

- |     |   |     |  |
|-----|---|-----|--|
| (c) | extend as close as possible to the side edges of the front face; and  | (c) | extend as close as possible to the side edges of the back face; and  |
| (d) | be positioned so that the warning message in English and the corresponding graphic will not be obscured, severed, or obliterated when the pack is opened. | (d) | be positioned so that the warning message, corresponding explanatory message, and corresponding graphic will not be obscured, severed, or obliterated when the pack is opened. |

<b>Layout</b>	Front layout 1 specified in Part 1 of Schedule 3.	Back layout 1 specified in Part 1 of Schedule 3.
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**Item 4 Vertical carton—semi-transparent and non-transparent**

<b>Face</b>	<i>Front</i>	<i>Back</i>	<i>Side</i>
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<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quitline logo.	Information message.
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<b>Specifications</b>	The warning message in English and corresponding graphic must—	The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must,—	The information message must cover 25% of the total area of 1 side of the carton.
	(a) cover at least 30% of the total area of the front face; and	(a) if the back face is partially obscured by a seal,—	
	(b) be positioned parallel to, and as close as possible to, the top edge of the front face; and	(i) cover as much of the remainder of the back face as practicable; and	
	(c) extend as close as possible to the side edges of the front face.	(ii) in any case cover at least 90% of the remaining area of the back face; and	
		(b) in any other case, cover at least 90% of the total area of the back face; and	
		(c) be positioned parallel to, and as close as possible to, the longest edge of the back face; and	
		(d) extend as close as possible to the side edges of the back face.	



Part 1—*continued***Item 4**—*continued*

<b>Layout</b>	Front layout 1 specified in Part 1 of Schedule 3.	(a)	if the back face is partially obscured by a seal, back layout 4 or back layout 5 specified in Part 1 of Schedule 3 as appropriate, according to the position of the seal on the back face, including compliance with any conditions mentioned in the layout; and
		(b)	in any other case, back layout 1 specified in Part 1 of Schedule 3.

**Item 5**      **Horizontal carton—semi-transparent and non-transparent**

<b>Face</b>	<i>Front</i>	<i>Back</i>	<i>Side</i>
<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quitline logo.	Information message.
<b>Specifications</b>	The warning message in English and corresponding graphic must— <ul style="list-style-type: none"> <li>(a) cover at least 30% of the total area of the front face; and</li> <li>(b) be positioned parallel to, and as close as possible to, the top edge of the front face; and</li> <li>(c) be positioned as close as possible to the left-hand edge of the front face.</li> </ul>	The warning message in English and te reo Māori, corresponding graphic, and corresponding explanatory message must— <ul style="list-style-type: none"> <li>(a) if the back face is partially obscured by a seal— <ul style="list-style-type: none"> <li>(i) cover as much of the remainder of the back face as practicable; and</li> <li>(ii) in any case cover at least 90% of remaining area of the back face; and</li> </ul> </li> <li>(b) in any other case, cover at least 90% of the total area of the back face; and</li> </ul>	The information message must cover 25% of the total area of 1 side of the carton.

Part 1—*continued***Item 5**—*continued*

		(c)	be positioned parallel to, and as close as possible to, the longest edge of the back face; and
		(d)	extend as close as possible to the side edges of the back face.
<b>Layout</b>	Front layout 2 specified in Part 1 of Schedule 3.	(a)	if the back face is partially obscured by a seal, back layout 4 or back layout 5 specified in Part 1 of Schedule 3 as appropriate, according to the position of the seal on the back face, including compliance with any conditions mentioned in the layout; and
		(b)	in any other case, back layout 2 specified in Part 1 of Schedule 3.

**Item 6**      **Rectangular or square-shaped pack (other than a carton)**

<b>Face</b>	<i>Front</i>	<i>Back</i>	<i>Side</i>
<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quitline logo.	Information message.
<b>Specifications</b>	The warning message in English and corresponding graphic must— (a) cover at least 30% of the total area of the front face; and	The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must,— (a) cover at least 90% of the total area of the back face; and	The information message must cover the total area of 1 side of the pack, except any area that forms part of the lid.

Part 1—*continued*Item 6—*continued*

- |     |  |     |  |
|-----|--|-----|--|
| (b) | be positioned parallel to, and as close as possible to, the top edge of the front face so that the warning message in English and the corresponding graphic will not be obscured, severed, or obliterated when the pack is opened; and | (b) | be positioned parallel to, and as close as possible to, the top edge of the back face so that the warning message, corresponding explanatory message, and corresponding graphic will not be obscured, severed, or obliterated when the pack is opened; and |
| (c) | extend as close as possible to the side edges of the front face.   | (c) | extend as close as possible to the side edges of the back face.  |

**Layout**                      Front layout 1 specified in Part 1 of Schedule 3.                      Back layout 1 specified in Part 1 of Schedule 3.

Item 7                      **Hexagonal or octagonal prism-shaped packs other than flip-top packs**

<b>Face</b>	<i>Front</i> (the rectangular face of the pack on which the largest brand name appears)	<i>Back</i> (the face opposite to the front face)	<i>Side</i> (one of the rectangular or square faces of the pack, except the front and back faces)
<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quitline logo.	Information message.
<b>Specifications</b>	The warning message in English and corresponding graphic must— (a) cover at least 30% of the total area of the front face; and	The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must— (a) cover at least 90% of the total area of the back face; and	The information message must cover the total area of 1 side of the pack.

Part 1—*continued***Item 7**—*continued*

- |     |  |     |  |
|-----|--|-----|--|
| (b) | be positioned parallel to, and as close as possible to, the top edge of the front face so that the warning message in English and the corresponding graphic will not be obscured, severed, or obliterated when the pack is opened; and | (b) | be positioned parallel to, and as close as possible to, the top edge of the back face so that the warning message, corresponding explanatory message, and corresponding graphic will not be obscured, severed, or obliterated when the pack is opened; and |
| (c) | extend as close as possible to the side edges of the front face.   | (c) | extend as close as possible to the side edges of the back face.  |

<b>Layout</b>	Front layout 1 specified in Part 1 of Schedule 3.	Back layout 1 specified in Part 1 of Schedule 3.
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**Item 8**      **Cylindrical-shaped pack**

<b>Face</b>	<i>Front</i> (the curved surface of the cylinder that extends one-twelfth of the circumference of the package each side of the vertical centre line of the largest brand name appearing on that surface)	<i>Back</i> (the face of the cylinder that is opposite to the front face)	<i>Outer surface of base of pack</i>
<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quitline logo.	Information message.
<b>Specifications</b>	The warning message in English and corresponding graphic must— (a) cover at least 30% of the total area of the front face; and	The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must— (a) cover at least 90% of the total area of the back face; and	The information message must cover 25% of the total area of the outer surface of the base of the pack.

Part 1—*continued*Item 8—*continued*

- |     |  |     |  |
|-----|--|-----|--|
| (b) | be positioned parallel to, and as close as possible to, the top edge of the front face so that the warning message in English and the corresponding graphic will not be obscured, severed, or obliterated when the pack is opened. | (b) | be positioned parallel to, and as close as possible to, the top edge of the back face so that the warning message, corresponding explanatory message, and corresponding graphic will not be obscured, severed, or obliterated when the pack is opened. |
|-----|--|-----|--|

<b>Layout</b>	Front layout 1 specified in Part 1 of Schedule 3.	Back layout 1 specified in Part 1 of Schedule 3.
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Item 9 **Pack of a shape or size not mentioned in items 1 to 8**

<b>Face</b>	<i>Front</i> (face of the pack on which the largest brand name appears)	<i>Back</i> (face opposite to the front face)	<i>Side</i>
<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quitline logo.	Information message.
<b>Specifications</b>	The warning message in English and the corresponding graphic must— (a) cover at least 30% of the total area of the front face; and (b) be positioned parallel to, and as close as possible to, the top edge of the front face so that the warning message in English and the corresponding graphic will not be obscured, severed, or obliterated when the pack is opened; and	The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must— (a) cover at least 90% of the total area of the back face; and (b) be positioned parallel to, and as close as possible to, the top edge of the back face, so that the warning message, corresponding explanatory message, and corresponding graphic will not be obscured, severed, or obliterated when the pack is opened; and	The information message must cover the total area of 1 side of the pack.

## Part 1—continued

## Item 9—continued

	(c) extend as close as possible to the side edges of the front face.	(c) extend as close as possible to the side edges of the back face.
<b>Layout</b>	Front layout 1 specified in Part 1 of Schedule 3.	Back layout 1 specified in Part 1 of Schedule 3.

## Part 2—Loose or pipe tobacco

## Item 1 Pouch

**Face**

*Front* (the largest face of the pouch that is not overlapped by the flap of the pouch)

*Back* (the face, comprising the flap, opposite to the front face)

*Inside flap*

**Content**

Warning message in English and corresponding graphic.

Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quitline logo.

Information message.

**Specifications**

For a front face with portrait orientation, the warning message in English and corresponding graphic must—

- (a) cover at least 30% of the total area of the front face; and
- (b) be positioned parallel to, and as close as possible to, the top edge of the front face; and
- (c) extend as close as possible to the side edges of the front face.

The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must—

- (a) cover at least 50% of the total area of the back face; and
- (b) be positioned parallel to, and as close as possible to, the top edge of the back face; and
- (c) extend as close as possible to the side edges of the back face.

The information message must be printed within a rectangle measuring at least 80 mm x 25 mm that is positioned—

- (a) in the centre of the inside of the pouch, under the flap, and as close as possible to the top edge of the sealed inner pouch; or
- (b) in the centre of the inside surface of the flap that folds over the back face.

For a front face with landscape orientation, the warning message in English and corresponding graphic must—

- (a) cover at least 30% of the total area of the front face; and
- (b) be positioned parallel to, and as close as possible to, the top and left-hand sides of the front face.

## Part 2—continued

## Item 1—continued

<b>Layout</b>	For a front face with portrait orientation, front layout 1 specified in Part 1 of Schedule 3. For a front face with landscape orientation, front layout 2 specified in Part 1 of Schedule 3.	Back layout 3 specified in Part 1 of Schedule 3.
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Item 2 **Cylindrical-shaped package with height of at least 41 mm**

<b>Face</b>	<i>Front</i> (the curved surface of the cylinder that extends one-twelfth of the circumference of the package each side of the vertical centre line of the largest brand name appearing on that surface)	<i>Back</i> (the face of the cylinder that is opposite to the front face)	<i>Outer surface of base of package</i>
<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quitline logo.	Information message.
<b>Specifications</b>	The warning message in English and corresponding graphic must— (a) cover at least 30% of the total area of the front face; and (b) be positioned parallel to, and as close as possible to, the top edge of the front face so that the warning message in English will not be obscured, severed, or obliterated when the package is opened.	The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must— (a) cover at least 50% of the total area of the back face; and (b) be positioned parallel to, and as close as possible to, the top edge of the back face so that the warning message, corresponding explanatory message, and corresponding graphic will not be obscured, severed, or obliterated when the package is opened.	The information message must cover at least 25% of the total area of the outer surface of the base of the package.

## Part 2—continued

**Item 2—continued**

**Layout** Front layout 1 specified in Part 1 of Schedule 3. Back layout 1 specified in Part 1 of Schedule 3.

**Item 3 Cylindrical-shaped package or tin with height of less than 41 mm**

**Face** *Front* (the outer surface of the lid of the package or tin) *Back* (the outer face of the base of the package or tin) *Outer surface of the base of the package*

**Content** Warning message in English and corresponding graphic. Warning message in English and te reo Māori and corresponding explanatory message. Information message.

**Specifications** The warning message in English and corresponding graphic must—  
 (a) cover at least 30% of the total area of the front face; and  
 (b) be positioned parallel to the largest brand name on the front face.  
 The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must cover at least 50% of the total area of the back face.

**Item 4 Rectangular or square tin or package**

**Face** *Front* (the outer surface of the lid of the tin or the front of the package) *Back* (the outer face of the base of the tin or the back of the package) *Side*

**Content** Warning message in English and corresponding graphic. Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quiltline logo. Information message.

**Specifications** The warning message in English and corresponding graphic must—  
 (a) cover at least 30% of the total area of the front face; and  
 (b) be positioned parallel to the largest brand name on the front face.  
 The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must cover at least 50% of the total area of the back face.



Part 2—*continued***Item 5**      **Pack of shape or size not mentioned in items 1 to 4**

<b>Face</b>	<i>Front</i> (the face of the package on which the largest brand name appears)	<i>Back</i> (the face opposite the front face)	<i>Side</i>
<b>Content</b>	Warning message in English and corresponding graphic.	Warning message in English and te reo Māori, corresponding explanatory message, corresponding graphic, and Quitline logo.	Information message.
<b>Specifications</b>	The warning message in English and corresponding graphic must— (a) cover at least 30% of the total area of the front face; and (b) be positioned parallel to the largest brand name on the front face.	The warning message in English and te reo Māori, corresponding explanatory message, and corresponding graphic must cover at least 50% of the total area of the back face.	The information message must cover at least 25% of the total area of 1 side of the pack.

## Part 3—Cigars

**Item 1**      **Package with hinged lid**

<b>Face</b>	<i>Front</i> (outer surface of lid)	<i>Back</i> (outer face of base)
<b>Content</b>	Warning message in English and te reo Māori and corresponding graphic.	Warning message in English and corresponding explanatory message.
<b>Specifications</b>	The warning message in English and te reo Māori and the corresponding graphic must cover at least 25% of the total area of the front face.	The warning message in English and corresponding explanatory message must cover at least 35% of the total area of the back face.

Part 3—*continued*

<b>Item 2</b>	<b>Flip-top pack</b>	
<b>Face</b>	<i>Front</i>	<i>Back</i>
<b>Content</b>	Warning message in English and te reo Māori and corresponding graphic.	Warning message in English and corresponding explanatory message.
<b>Specifications</b>	The warning message in English and te reo Māori and the corresponding graphic must cover at least 25% of the total area of the front face.	The warning message in English and corresponding explanatory message must cover at least 35% of the total area of the back face.
<b>Item 3</b>	<b>Soft pack</b>	
<b>Face</b>	<i>Front</i>	<i>Back</i>
<b>Content</b>	Warning message in English and te reo Māori and corresponding graphic.	Warning message in English and corresponding explanatory message.
<b>Specifications</b>	The warning message in English and te reo Māori and the corresponding graphic must cover at least 25% of the total area of the front face.	The warning message in English and the corresponding explanatory message must cover at least 35% of the total area of the back face.

### Part 3—*continued*

**Item 4**      **Rectangular- or square-shaped pack or tin with front face that has width of at least 61 mm**

**Face**      *Front*

*Back*

**Content**      Warning message in English and te reo Māori and corresponding graphic.

Warning message in English and corresponding explanatory message.

**Specifications**      The warning message in English and te reo Māori and the corresponding graphic must cover at least 25% of the total area of the front face.

The warning message in English and the corresponding explanatory message must cover at least 35% of the total area of the back face.

**Item 5**      **Rectangular- or square-shaped pack or tin with front face that has width of less than 61 mm**

**Face**      *Front*

*Back*

**Content**      Warning message in English and te reo Māori and the corresponding graphic.

Warning message in English.

**Specifications**      The warning message in English and te reo Māori and the corresponding graphic must cover at least 25% of the total area of the front face.

The warning message in English must cover at least 35% of the total area of the back face.

Part 3—*continued*

<b>Item 6</b>	<b>Cylindrical-shaped packs</b>	
<b>Face</b>	<i>Front</i> (the curved surface of the cylinder that extends one-twelfth of the circumference of the cylinder each side of the vertical centre line of the largest brand name appearing on that surface)	<i>Back</i> (the face opposite to the front face)
<b>Content</b>	Warning message in English and te reo Māori and corresponding graphic.	Warning message in English and corresponding explanatory message.
<b>Specifications</b>	The warning message in English and te reo Māori and the corresponding graphic must cover at least 25% of the total area of the front face.	The warning message in English and corresponding explanatory message must cover at least 35% of the total area of the back face.
<b>Item 7</b>	<b>Hexagonal or octagonal prism-shaped pack</b>	
<b>Face</b>	<i>Front</i> (the rectangular face of the package on which the largest brand name appears)	<i>Back</i> (the face opposite to the front face)
<b>Content</b>	Warning message in English and te reo Māori and corresponding graphic.	Warning message in English and corresponding explanatory message.
<b>Specifications</b>	The warning message in English and te reo Māori and the corresponding graphic must cover at least 25% of the total area of the front face.	The warning message in English and corresponding explanatory message must cover at least 35% of the total area of the back face.

Part 3—*continued***Item 8**      **Pack of shape or size not mentioned in items 1 to 7**

<b>Face</b>	<i>Front</i> (the face of the package on which the largest brand name appears)	<i>Back</i> (the face opposite to the front face)
<b>Content</b>	Warning message in English and te reo Māori and corresponding graphic.	Warning message in English and corresponding explanatory message.
<b>Specifications</b>	The warning message in English and te reo Māori and the corresponding graphic must cover at least 25% of the total area of the front face.	The warning message in English and the corresponding explanatory message must cover at least 35% of the total area of the back face.





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rr 7, 8, 9, 13, 14, 16, 17, 19, 20

## Schedule 2

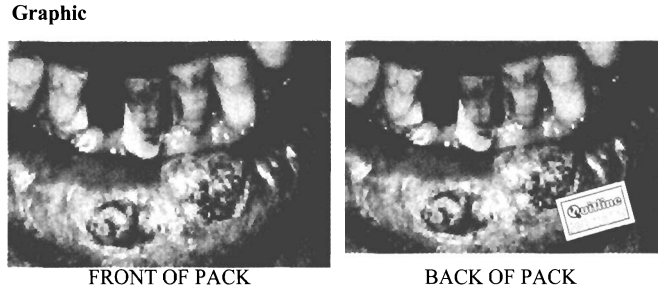
### Warning messages, corresponding explanatory messages, and corresponding graphics

#### Part 1—Cigarettes and loose or pipe tobacco

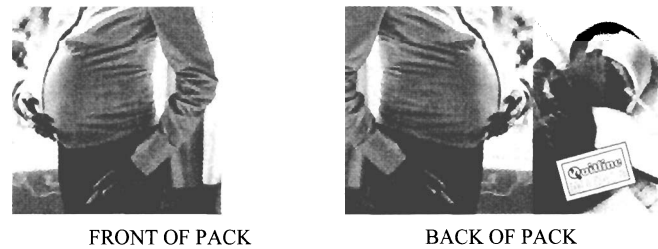
Item	Warning message	Explanatory message	Graphic	
1	<p>SMOKING CAUSES BLINDNESS</p> <p>KA KĀPŌ KOE I TE MOMI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Smoking causes blindness by damaging the back of your eyes. It also causes cataracts.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>		
			FRONT OF PACK	BACK OF PACK
2	<p>SMOKING CAUSES GANGRENE</p> <p>KA PĀNGIA KOE I TE KIKOHUNGA I TE MOMI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Smoking damages your blood vessels reducing circulation to your legs and feet. This can cause blood clots, gangrene, and amputation.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>		
			FRONT OF PACK	BACK OF PACK

Part 1—continued





<b>Item</b>	<b>Warning message</b>	<b>Explanatory message</b>
3	<p>SMOKING CAUSES MOUTH CANCER</p> <p>KA MATE PUKUPUKU Ō TE WAHA KOE I TE MOMI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Mouth and throat cancer can result in eating, swallowing, and speech problems, disfigurement, and death.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>



<b>Item</b>	<b>Warning message</b>	<b>Explanatory message</b>
4	<p>YOU ARE NOT THE ONLY ONE SMOKING THIS CIGARETTE</p> <p>ĒHARA KO KOE ANAKE KEI TE MOMI I TĒNEI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Smoking during pregnancy increases the risk of miscarriage, stillbirth, premature birth, and the risk of Sudden Infant Death Syndrome (SIDS).</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>



Part 1—*continued*

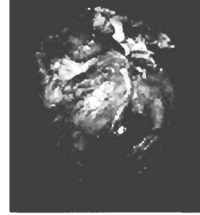
Item	Warning message	Explanatory message	Graphic	
5	<p>OVER 80% OF LUNG CANCERS ARE CAUSED BY SMOKING</p> <p>TE NUINGA O NGĀ MATE PUKUPUKU Ā PŪKAHUKAHU NĀ TE MOMI HIKARETI</p>	<p>Smoking causes most lung cancers in New Zealand. If you get lung cancer you will probably die from it.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>		
	<p>Ministry of Health Warning</p>		FRONT OF PACK	BACK OF PACK
6	<p>TOBACCO SMOKE IS POISONOUS</p> <p>HE PAIHANA TE AUAHI HIKĀ</p>	<p>Smoking exposes you to poisonous chemicals that cause cancer, heart disease, and death.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>		
	<p>Ministry of Health Warning</p>		FRONT OF PACK	BACK OF PACK



Part 1—continued

Item	Warning message	Explanatory message
7	<p>SMOKING CAUSES HEART ATTACKS</p> <p>KA MĀUIUI TŌU NGĀKAU I TE MOMI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Smoking can block your arteries. Blocked arteries cause heart attacks which can kill you.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>

Graphic



FRONT OF PACK

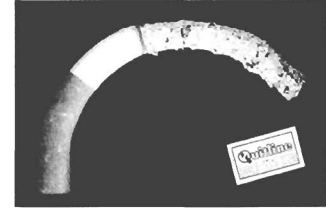


BACK OF PACK

8	<p>SMOKING CAN MAKE YOU IMPOTENT</p> <p>KA KAHAKORE TE URE I TE MOMI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Smoking can cause impotence due to decreased blood flow to the penis. This can prevent you from having sex.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>
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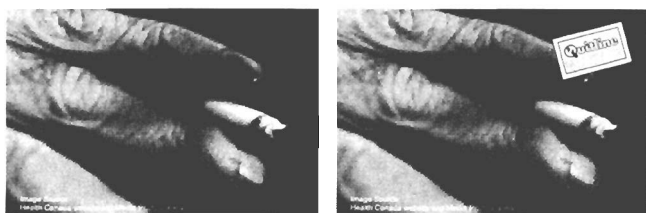



FRONT OF PACK




BACK OF PACK

## Part 1—continued

Item	Warning message	Explanatory message	Graphic
9	<p>SMOKING IS HIGHLY ADDICTIVE</p> <p>KA TINO WAREA TE TANGATA I TE MOMI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>You may not realise how addicted you are until you try to quit. Long-term smokers can and do quit.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	 <p>FRONT OF PACK</p> <p>BACK OF PACK</p>
10	<p>SMOKING CAUSES FOUL AND OFFENSIVE BREATH</p> <p>KA HAUNGA, KA KEHAKEHA TÔU HĀ I TE MOMI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Tobacco smoke affects the natural chemical balance in your mouth, which can give you offensive bad breath.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	 <p>FRONT OF PACK</p> <p>BACK OF PACK</p>

Part 1—continued


Item	Warning message	Explanatory message	Graphic
11	<p>YOUR SMOKING CAN HARM YOUR KIDS</p> <p>KOI PĀNGIA I TE MATE ŌU TAMARIKI I TŌU MOMI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Exposure to tobacco smoke increases the risk of your children contracting serious illnesses and dying. Babies exposed to tobacco smoke are at greater risk of Sudden Infant Death Syndrome (SIDS).</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	 <p>FRONT OF PACK</p>



FRONT OF PACK



BACK OF PACK

12	<p>SMOKING CAUSES SERIOUS LUNG DISEASES</p> <p>HE TINO KINO TE MATE MIRU PUPUHI</p> <p>Ministry of Health Warning</p>	<p>Smoking causes crippling and often fatal lung diseases like emphysema.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	 <p>FRONT OF PACK</p>
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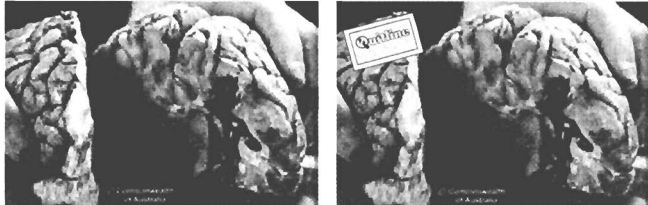
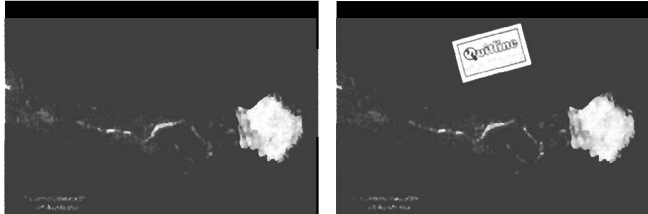


FRONT OF PACK





BACK OF PACK



## Part 1—continued

Item	Warning message	Explanatory message	Graphic
13	<p>SMOKING MORE THAN DOUBLES YOUR RISK OF STROKE</p> <p>KA TINO KAHA RAWA AKE TŌU PĀNGIA ANA I TE MATE RORO IKURA I TE MOMI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Strokes can cause permanent paralysis, inability to speak, disability, and death.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	 <p>FRONT OF PACK</p> <p>BACK OF PACK</p>
14	<p>SMOKING BLOCKS YOUR ARTERIES</p> <p>KA AUKATIHA ŌU IOIO TOTO I TE MOMI HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Blocked arteries can lead to heart attack, stroke, and death.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	 <p>FRONT OF PACK</p> <p>BACK OF PACK</p>


## Part 2—Cigars

Item	Warning message	Explanatory message	Graphic
1	<p>CIGAR SMOKE IS TOXIC</p> <p>HE PAIHANA TE AUAHI HIKĀ</p> <p>Ministry of Health Warning</p>	<p>Cigar smoke contains high concentrations of toxins and irritants. Taking in this toxic mix can damage the body's cells, resulting in many diseases including cancer, heart disease, and respiratory disease.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	 <p>© European Community</p>
2	<p>CIGAR SMOKING CAUSES LUNG CANCER</p> <p>KA MATE PUKUPUKU Ā PŪKAHUKAHU I TE MOMI HIKĀ</p> <p>Ministry of Health Warning</p>	<p>Cigar smoking increases your risk of lung cancer even if you do not inhale. Your lung cancer risk increases greatly if you inhale the smoke.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	 <p>Commonwealth of Australia</p>

## Part 2—continued

Item	Warning message	Explanatory message	Graphic
3	<p>CIGAR SMOKING CAUSES MOUTH AND THROAT CANCER</p> <p>KA MATE PUKUPUKU O TE WAHA MĒ TĒ KOROKORO I TE MOMI HIKĀ</p> <p>Ministry of Health Warning</p>	<p>Cigar smoking increases your risk of developing cancer of the lip, mouth, throat, and voicebox.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	
4	<p>CIGARS ARE NOT A SAFE ALTERNATIVE TO CIGARETTES</p> <p>ĒHARA I TE MEA HE HAUMARU AKE TE HIKĀ KI TE HIKARETI</p> <p>Ministry of Health Warning</p>	<p>Cigar smoking, particularly if you inhale, increases your risk of mouth and throat cancer, heart disease, and lung disease.</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	

## Part 2—continued

Item	Warning message	Explanatory message	Graphic
5	<p><b>DON'T LET CHILDREN BREATHE YOUR SMOKE</b></p> <p><b>KAUA E TUKUA NGĀ TAMARIKI KIA NGONGO I TŌ AUAHI HIKARETI</b></p> <p>Ministry of Health Warning</p>	<p>Children exposed to passive smoking experience more serious illnesses such as pneumonia, middle ear infections, and asthma attacks. Babies exposed to passive smoking are at greater risk of Sudden Infant Death Syndrome (SIDS).</p> <p>You <b>CAN</b> quit smoking. Call <b>Quitline 0800 778 778</b> or talk to a quit smoking provider.</p>	

## Part 3—Bidis

Item	Warning message
1	<b>SMOKING DOUBLES YOUR RISK OF STROKE</b>
2	<b>SMOKING CAUSES PERIPHERAL VASCULAR DISEASE</b>
3	<b>SMOKING CAUSES BLINDNESS</b>
4	<b>SMOKING CAUSES MOUTH AND THROAT CANCER</b>
5	<b>DON'T LET CHILDREN BREATHE YOUR SMOKE</b>

## Part 4—Other tobacco products

Item	Warning message
1	<b>THIS PRODUCT CONTAINS CANCER-CAUSING AGENTS</b>
2	<b>THIS PRODUCT MAY BE HARMFUL TO YOUR HEALTH</b>

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rr 7, 8, 13

**Schedule 3**  
**Layouts for labelling of retail packages**

**Part 1—Layouts for labelling of cigarettes and loose or pipe tobacco**

**Front layout 1**

Graphic	Warning message

**Front layout 2**

Graphic	
Warning message	



Part 1—*continued*

**Back layout 1**

Warning message
Graphic and Quitline logo
Corresponding explanatory message

**Back layout 2**

Graphic and Quitline logo	Warning message
	Corresponding explanatory message

**Back layout 3**

Graphic and Quitline logo	Warning message
Corresponding explanatory message	

Part 1—*continued***Back layout 4**

Corresponding Explanatory message	
(Seal)	
Graphic and Quitline logo	Warning message

**Conditions for back layout 4:**

- (a) layout may only be used if the corresponding explanatory message occupies the lesser portion of the remainder of the face, having regard to the division made by the seal; and
- (b) the corresponding explanatory message must be not less than 20 mm in height.

**Back layout 5**

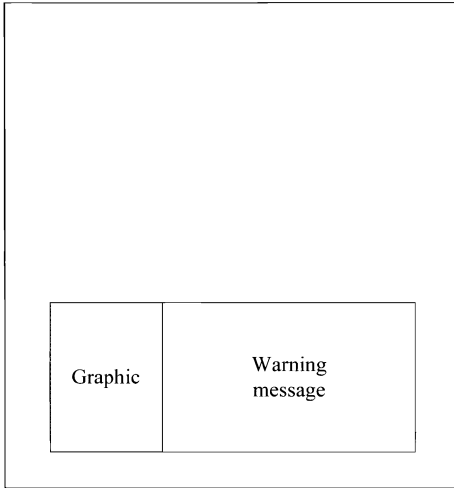
Graphic and Quitline logo	Warning message
(Seal)	
Corresponding Explanatory message	

**Conditions for back layout 5:**

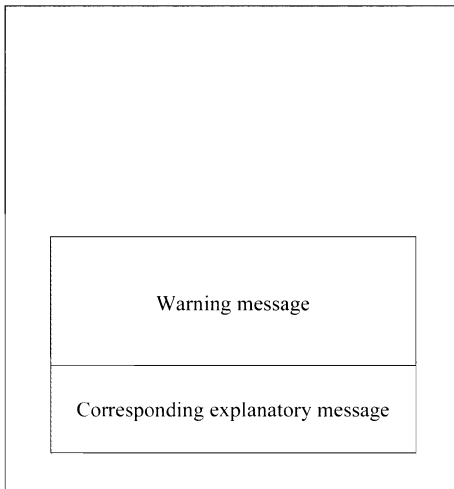
- (a) layout may only be used if the corresponding explanatory message occupies the lesser portion of the remainder of the face, having regard to the division made by the seal; and
- (b) the corresponding explanatory message must be not less than 20 mm in height.

## Part 2—Layouts for labelling of cigars

### Front of pack



### Back of pack



rr 7, 8, 10

## Schedule 4 Information message and Quitline logo

### Part 1—Information message

- Smoking exposes you to more than 40 harmful chemicals.
- These chemicals damage blood vessels, body cells, and the immune system.
- **QUIT NOW** to reduce your risk of chronic illness or premature death.

### Part 2—Quitline logo



**Schedule 5**  
**Form of return**

r 32(1)

*Manufacturer or importer:*

*Calendar year:*

*Tobacco product class:*

Cigarettes/cigarette tobacco/pipe tobacco/cigars/other [*specify*]\*

- (a) tobacco weight by product class:
- (b) weight of additives in total by product class:
- (c) list of additives and quantities not exceeded for each brand and brand variants in this return:

<b>Common botanical or chemical name</b>	<b>Quantity not exceeded (percentage by weight)</b>
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(d) Brand information:

<b>Brand and brand variant</b>	<b>Quantity released for sale</b>	<b>Price (see note)</b>
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I, [*full name*] of [*address*], [*position held*], certify that the information contained in/and annexed to\* this return is correct for the purposes of the Smoke-free Environments Regulations 2007.

Dated at                                      this                                      day of                                      .

\*Delete as appropriate

*Note:* Price sheets supplied by the manufacturer or importer to retailers during the year of recommended prices for each brand and brand variant or an equivalent list may be attached to the return instead of including that information above.

r 32(2)

## Schedule 6

### Form of report

*Manufacturer or importer:**Laboratory:**Calendar year:**Product:*

Brand and brand variant	Tar	Nicotine	CO
	Mean CI*	Mean CI*	Mean CI*

\*CI = 95% confidence interval

I, [full name] of [address], [position held in testing laboratory], certify that the report correctly records the results of all tests carried out at the laboratory at [location] by or on behalf of [name of manufacturer or importer] during the year [year] for the purposes of section 33/section 34† of the Smoke-free Environments Act 1990.

Dated at                      this                      day of                      .

†Delete as appropriate

Diane Morcom,  
Clerk of the Executive Council.

### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 28 February 2008, revoke and replace the Smoke-free Environments Regulations 1999 (the **existing regulations**).

Part 2 specifies new labelling requirements for retail packages of tobacco products. The new requirements are based on and are

intended to have the same effect as the equivalent Australian legislation. They require most retail packages of tobacco products to display the following:

- a warning message, comprising a brief warning in English and te reo Māori about the effects of smoking; and
- a corresponding explanatory message, comprising a longer explanation of the brief warning and details of the Quitline telephone number that people who want to quit smoking may call; and
- a corresponding graphic that must appear alongside the warning message and corresponding explanatory message.

In addition, retail packages of cigarettes, loose or pipe tobacco, and cigars must display an information message on the side of the package.

The provisions in Part 3 are carried over from the existing regulations. These deal with—

- the content of price lists that must be given to retailers of tobacco products;
- the requirement for manufactured cigarettes to be tested and the standards for testing;
- the display of retailers' names and trade names outside shops where any tobacco product is available;
- the return and report that must be filed under section 35(1) of the Smoke-free Environments Act 1990.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 1 March 2007.

These regulations are administered by the Ministry of Health.

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