

A.L. 202 ta' l-2004.

**ATT DWAR IL-KONTROL TAT-TIPJIP TAT-TABAKK
(Kap. 315.)**

**Regolamenti ta' l-2004 dwar it-Tqeghid ta' Tikketti fuq
Prodotti tat-Tabakk**

BIS-SAHHA tas-setghat moghtija bl-artiklu 9 ta' l-Att dwar il-Kontroll tat-Tipjip tat-Tabakk, il-Ministru tas-Sahha, Anzjani u Kura fil-Kommunita' ghamel ir-regolamenti li ġejjin: -

1. (1) It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2004 dwar it-Tqeghid ta' Tikketti fuq Prodotti tat-Tabakk. Titolu u bidu fis-sehh.

(2) Dawn ir-regolamenti, hlief għar-regolament 12, jidhlu fis-sehh b'effett mill-1 ta' Mejju, 2004. Ir-regolament 12 għandu jidhol fis-sehh fid-data tal-pubblikazzjoni ta' dawn ir-regolamenti.

2. F'dawn ir-regolamenti-

Tifsir.

“ingredjenti” tfisser kull sostanza jew kostitwent minbarra l-werqa tat-tabakk u partijiet tal-pjanta tat-tabakk fl-istat naturali tagħha jew mhux proċessat, użati fil - manifattura jew preparazzjoni ta' prodott tat-tabakk u li jkunu għandhom preżenti fil-prodott lest, ukoll jekk f'forma mibdula, inkluża l-karta, filtri, linka u adeżivi;

“ISO 4398” tfisser l-aħhar edizzjoni tal-Livelli Internazzjonali msemmija kif jiġu stabbiliti fis-Sigaretti l-materja partikulata totali u niexfa billi tintuża rutina analitika permezz ta' *cigarette- smoking machine fibre filter smoking trap*, skond il-metodu ISO 4387: 1987(E) l-ewwel edizzjon ippublikata mill-Organizzazzjoni Internazzjonali għall-standardizzazzjoni fil-15 ta' April, 1987;

“il-faċċata li tidher l-aktar”, fil-każ ta' pakkett tas-sigaretti rettangolari, tfisser l-akbar faċċata tal-pakkett li tkun jew li tkun ugwali fid-daqs, għall-akbar faċċata u li:

(a) jew tkun tidher faċċata tal-persuna li tiftaħ dak il-pakkett,

(b) jew fejn m'hemmx dik il-faċċata li tkun tidher quddiem il-persuna li tkun qed tiftaħ il-pakkett, tkun il-faċċata li fuqha jidher bl-aktar mod prominenti l-isem, *trade-mark* jew xi marka oħra distintiva li turi l-isem tas-sigaretti,

u dwar pakketti oħra tas-sigaretti, din il-frażi tfisser l-aktar faċċata prominenti;

“nikotina” tfisser alkaloidi tan-nikotina;

“pakkett”, li għandu x' jaqsam ma' prodotti tat-tabakk, tfisser kull kaxxa, pakkett, kontenitur, jew reċipjent iehor li fih il-prodott, u li l- prodott ta' go fih ikun, jew ikun intiz li jkun, ipprezentat għall-bejgħ bl-immnut, bl-eskluzzjoni ta' kull ippakkettjar estern iehor addizzjonali (trasparenti jew le) li jista' jintrema appena jinfetħ il- pakkett, u fejn dak ir-reċipjent, ikun jew ikun se jiġi kontenut f'xi reċipjent iehor bħal dak (minbarra dak l-ippakkettjar estern), tinkludi kull tali reċipjent;

“Suprintendent” tfisser is-Suprintendent tas-Sahha Pubblika;

“qatran” tfisser il-kondensat tad-duhħan anidrus fl- istat naturali tiegħu , u li ma' fihx nikotina;

Produzzjoni ta' qatran, nikotina u monossidju tal-karbonju.

3. Il-produzzjoni tal-qatran, nikotina u monossidju tal-karbonju tas-sigaretti għandu jkun stampat kif ġej fuq naħa waħda tal-pakkett u għandu jgħatti mill-anqas 12% tal-faċċata korrispondenti:

(a) għal dik li hi l-produzzjoni tal-qatran, il-figura għandha tkun fl-eqreb ċifra shiha u espressa f'milligrammi fil-forma “x mg tar ċ qatran”,

(b) għal dik li hi l-produzzjoni tan-nikotina, il-figura għandha tkun eqreb figura deċimali wara l-punt u espressa f' milligrammi fil-forma “yz mg nicotine ċnikotina”,

(ċ) għal dak li hu l- monossidju tal-karbonju, l-eqreb ċifra shiha u espressa f'milligrammi fil-forma “x mg monossidju tal-karbonju” .

4. (1) Fuq kull unita ta' prodott tat-tabakk ghandu jkunu hemm stampat bl-Ingiliz u bil-Malti wahda mit-twissijiet generali li ġejjin, "Smoking seriously harms you and others around you", "It-Tipjip jagħmel hsara lilek u lil ta' madwarek", u "Smoking Kills"- "It-Tipjip Joqtol".

Twissijiet fuq il-pakketti.

(2) Dawn iż-żewġ t-twissijiet generali għandhom ikunu stampati fuq il-faċċata tal-pakkett li l-aktar tidher u fuq kull ippakkettjar estern, u għandhom ikunu mibdulini b'sistema li tiggarrantixxi li jkunu jidhru regolament fuq il-pakkett.

(3) Twissija oħra, li tittiehed mill-Iskeda li tinsab ma' dawn ir-regolamenti, għandha tkun stampata fuq il-wiċċ l-iehor li jidher l-aktar tal-pakkett u fuq kull pakkettjar estern, u għandhom ikunu mibdulini b'sistema li tiggarrantixxi li jidhru regolament fuq il-pakkett.

(4) M'hemmx għalfejn li dawn it-twissijiet jidhru fuq il-foljetti addizzjonali trasparenti użati fil-bejgħ tal-prodott bl-imnut.

(5) Għandu jkun hemm ukoll riferenza li tigi stampata, 'il barra mill-kaxxa għat- twissijiet, kif ġej:

DANGER - Health Department - Warning

Twissija mid-Dipartiment tas-Saħħa - PERIKLU

5. (1) It-twissija ġenerali msemmija fir-regolament 4 ta' dawn ir-regolamenti għandha tghatti mhux anqas minn 32 % tal-faċċata ta' barra tal-wiċċ korrispondenti tal-pakkett tat-tabakk singolu li tkun stampata fuqu .

L-ispazju li jintuza fuq il-pakketti tas-sigaretti.

(2) It-twissija addizzjonali msemmija fir-regolament 4 ta' dawn ir-regolamenti għandha tghatti mhux anqas minn 45% tal-faċċata ta' barra tal-wiċċ korrispondenti tal-pakkett tat-tabakk singolu li tkun stampata fuqu.

Izda fil-każ ta' pakketti singoli ta' prodotti oħra li m'humiex sigaretti, meta l-faċċata li l-aktar tidher tkun aktar minn 75cm kwadri, it-twissijiet għandhom mill-anqas jgħattu 24 cm kwadri mill-wiċċ.

6. (1) It-twissijiet u l-indikazzjonijiet ta' produzzjoni għandhom ikunu:-

Twissijiet u indikazzjonijiet ta' produzzjoni ta' qatran eċċ.

(a) stampati b'tipa Helvetika, sewda u grassa, font 20, fuq sfond abjad;

(b) f'tipa żghira, minbarra l-ewwel ittra tal-messagġ u fejn hu mehtieg skond l-użu grammatikali.

(ċ) fin-nofs tal-wiċċ fejn jenhtieg li jigi stampat it-test, paralleli max-xifer ta' fuq tal-pakkett; u

(d) imdawwar minn bordura sewda ta' hxuna ta' mhux anqas minn 3millimetri u mhux aktar minn 4 millimetri wisa', sakemm din il-bordura bl-ebda mod ma tinterferixxi mat-test tat-twissija jew l-informazzjoni moghtija.

(2) It-test ghandu jkun stampat b'mod li la jista' jitnehha u lanqas jithassar, u bl- ebda mod ma' jista' jinheba jew jigi skurat jew interrott b'xi kitba jew b'xi stampa, meta jinfetah il-pakkett.

Iżda fil-każ ta'prodotti ohra tat-tabakk li ma humiex sigaretti, kull test jista' jitwahhal mal-pakketti bi stickers li ma' jkunux jistghu jinqalghu .

Numru tal-konsenja identifikabbli.

7. Kull unita' ta' prodott tat-tabakk jrid ikollha numru identifikabbli tal-konsenja.

Tikkettjar kwalifikattiv ta' prodotti tat-tabakk

8. (1) Ebda test, isem, trade-mark jew marka figurattiva jew sinjali ohra ma' jistghu jintużaw fuq l-ipakkettjar ta' prodotti tat-tabakk sabiex jigi suggerit li dak il-prodott partikolari jaghmel anqas hsara minn ohrajn.

(2) Ikun reat li prodott tat-tabakk ikollu tikketta li tiddekrivi l-prodott bhala "hafif" jew "mhux qawwi".

Lista ta' ingredjenti.

9. Il-manifatturi u l-importaturi ghandhom fl-ahhar ta' kull sena jghaddu lis-Suprintendent lista ta' l-ingredjenti kollha f'ordni mill-akbar sa l-iccken fil-piż, użati fil-manifattura ta' dawk il-prodotti tat-tabakk bl-isem tal-marka u t-tip . Din il-lista:

(a) ghandu jkollha maghha dikjarazzjoni li taghti r-raġunijiet ghall-inkluzjoni ta' dawk l-ingredjenti f'dawk il-prodotti tat-tabakk;

(b) ghandha tindika l-funzjoni u il-kategorija tagghom;

(ċ) ghandu jkollha maghha taghrif tossologiku li l-manifattur jew l-importatur ikollu ghad-dispozizzjoni tieghu rigward dawk l-ingredjenti taht forma mahruqa jew mhux mahruqa kif imiss, b'referenza partikolari ghall-effetti tagghom

fuq is-sahha tal-bniedem u li jqis ukoll dawk l-effetti li jwaqqghu fil-vizzju.

- 10.** Ikun id-dmir tas-Suprintendent li jinforma lill-pubbliku dwar il-produzzjoni ta' qatran, nikotina, u monossidju tal-karbonju tas-sigaretti. Is-Suprintendent ghandu jgharraf lill-pubbliku .
- 11.** Huwa reat li tabakk għall uzu orali jitqieghed fis-suq. It-tabakk għat-tehid mill-halq hu projbit
- 12.** Ir- Regolamenti ta' l-2003 dwar tikketti fuq Prodotti tat-Tabakk, huma b'dawn imhassrin. Ihassar A.L. 243 tal-2003

SKEDA

Regolament 4(3)

Lista ta' Twissijiet tas-Sahha Ohra

1. Smokers die younger
Min ipejjep imut zghir
2. Smoking clogs the arteries and causes heart attacks and strokes
It-tipjip isodd l-arterji u jgib l-attakki tal-qalb u l-puplesiji
3. Smoking causes fatal lung cancer
It-tipjip jagħmel kanċer fil-pulmun
4. Smoking when pregnant harms your baby
Jekk tpejjep waqt it-tqala tagħmel hsara lit-tarbija tiegħek
5. Protect children: don't make them breathe your smoke
Ipprotegi lit-tfal : iggħelhomx jibilghu id-duħħan tas-sigaretti tiegħek
6. Your doctor or your pharmacist can help you stop smoking
It-tabib jew l-ispizjar jgħinuk biex tieqaf tpejjep
7. Smoking is highly addictive, don't start.
It-tipjip huwa vizzju, tibdiex tpejjep
8. Stopping smoking reduces the risk of fatal heart and lung diseases
Jekk tieqaf tpejjep tnaqqas ir-riskju ta' attakki tal-qalb u mard tal-pulmun
9. Smoking can cause a slow and painful death
It-tipjip jista' jwassal għal agunija fit-tul u hafna ugħ
10. Get help to stop smoking - 21231247
Itlob l-għajnuna biex tieqaf tpejjep - 21231247
11. Smoking may reduce the blood flow and causes impotence
It-tipjip inaqqas ic-ċirkulazzjoni tad-demm u jista' jwassal għal l-impotenza
12. Smoking causes ageing of the skin
It-tipjip ikemmixlek il-ġilda
13. Smoking can damage the sperm and decreases fertility
It-tipjip jista' jagħmel hsara lill-isperma u jnaqqas il-fertilita'
14. Smoke contains benzene, nitrosamines, formaldehyde and hydrogen cyanide
Id-duħħan fih il-benzene, in-nitrosamines il-formaldehide u l-hydrogen cyanide.

L.N.202 of 2004

TOBACCO (SMOKING CONTROL) ACT
(CAP. 315)

Labelling of Tobacco Products Regulations, 2004

IN exercise of the powers conferred by article 9 of the Tobacco (Smoking Control) Act, the Minister of Health, the Elderly and Community Care has made the following regulations:-

1. (1) The title of these regulations is the Labelling of Tobacco Products Regulations, 2004. Title and commencement.

(2) These regulations, other than regulation 12, shall come into force on the 1st May, 2004. Regulation 12 shall come into force on the date of publication of these regulations.

2. In these regulations: Interpretation.

“ingredient” means any substance or any constituent except for tobacco leaf and other natural or unprocessed tobacco plant parts used in the manufacture or preparation of a tobacco product and still present in the finished product, even if in altered form, including paper, filter, inks and adhesives;

“ISO 4387” means the latest edition of the International Standard entitled Cigarettes Determination of total and dry particulate matter using a routine analytical cigarette-smoking machine-Glass fibre filter-smoking trap method ISO 4387: 1987 (E) first edition published by the International Organisation for Standardisation on 15th April, 1987;

“most visible surface”, in relation to a rectangular cigarette packet, means that surface of the packet which is, or is equal in area to, the largest surface and-

(a) either faces a person opening that packet,

(b) or where no such surface faces a person opening the packet, carries most prominently the name, trade-mark or other distinguishing mark of the brand of cigarettes,

and in relation to other cigarette packets, the phrase means the most conspicuous surface;

“nicotine” means nicotinic alkaloids;

“packet”, in relation to a tobacco product, means any box, package, container or other receptacle which contains the product, and in which the product is, or is intended to be, presented for retail, excluding any additional outer wrapping (whether or not transparent) which may be discarded on opening, and where any such receptacle is or is to be contained in another such receptacle (excluding such outer wrapping), includes each such receptacle;

“Superintendent” means the Superintendent of Public Health;

“tar” means the raw anhydrous nicotine-free condensate of smoke.

Tar, nicotine and carbon monoxide yields.

3. The tar, nicotine and carbon monoxide yields of cigarettes shall be printed in the following manner on one side of the packet covering at least 10% of the corresponding surface:

(a) as to the tar yield, to be shown as a figure rounded to the nearest whole number and expressed in milligrams in the form “x mg tar/qatran”,

(b) as to the nicotine yield, to be shown as a figure rounded to one decimal place and expressed in milligrams in the form “y.z mg nicotine/ nikotina”, and

(c) as to carbon monoxide, to be shown as a figure rounded to the nearest whole number and expressed in milligrams in the form “x mg carbon monoxide”.

Warnings on packets.

4. (1) Each unit of tobacco product, shall carry one of the general warnings in English and Maltese “Smoking seriously harms you and others around you”, “It-Tipjip jaghmel hsara lilek u lil ta’ madwarek” and “Smoking Kills”, “ It-Tipjip Joqtol”.

(2) Such two general warnings shall be printed on the most visible surface of the packet and on any outside packaging, and shall be rotated in such a way as to guarantee its regular appearance on the packet.

(3) An additional warning, taken from the Schedule to these regulations, shall be printed on the other most visible surface of the packet and on any outside packaging, and it shall be rotated in such manner as to guarantee its regular appearance.

(4) The printing of warnings shall not be required on additional transparent wrappers used in the retail sale of the product.

(5) There shall also be a reference to be printed, outside the box for warnings, in the following manner :

**DANGER - Health Department Warning
Twissija mid-Dipartiment tas-Sahha - PERIKLU**

5. (1) The general warning mentioned in regulation 4 hereof shall cover not less than 30% of the external area of the corresponding surface of the unit packet of tobacco on which it is printed. Area to be covered on cigarette packets.

(2) The additional warning mentioned in regulation 4 hereof shall cover not less than 40% of the external area of the corresponding surface of the unit packet of tobacco on which it is printed:

Provided that in the case of unit packets of products other than cigarettes, where the most visible surface exceeds 75 cm², the warnings shall cover an area of at least 24 cm².

6. (1) The warnings and the yield indications shall be Warning and yield indications.
- (a) printed in black Helvetica bold type, font size 20, on a white background;
 - (b) in lower case type, except for the first letter of the message and where required by grammar usage;
 - (c) centered in the area in which the text is required to be printed, parallel to the top edge of the packet; and
 - (d) surrounded by a black border not less than 3mm and not more than 4mm in width, provided that such border shall not interfere in any way with the text of the warning or the information given.

(2) The text shall be printed in an irremovable and indelible manner, and shall in no way be hidden, obscured or interrupted by any written or pictorial matter or by the opening of the packet:

Provided that in the case of tobacco products other than cigarettes, the texts may be affixed by means of irremovable stickers.

Identifiable batch number.

7. Each unit of tobacco product shall have an identifiable batch number or it.

Qualificative labelling of tobacco products.

8. (1) No texts, names, trade-marks and figurative or other signs may be used on the packaging of a tobacco product in order to suggest that that particular product is less harmful than others.

(2) It shall be an offence to label any tobacco product as “light” or “mild”.

List of ingredients.

9. Manufacturers and importers shall at the end of each year submit to the Superintendent a list of all ingredients, in descending order of weight, used in the manufacture of those tobacco products by brand name and type. This list shall :

(a) be accompanied by a statement setting out the reasons for the inclusion of such ingredients in those tobacco products;

(b) indicate their function and category;

(c) be accompanied by toxicological data available to the manufacturer or importer regarding those ingredients in burnt or unburnt form as appropriate, referring in particular to their effects on health and taking into account any addictive effects.

Superintendent to inform public.

10. It shall be the duty of the Superintendent to inform the public as to the tar, nicotine and carbon monoxide yields of cigarettes.

Tobacco for oral use prohibited.

11. It shall be an offence to place on the market tobacco for oral use.

Repeals L.N. 243 of 2003.

12. The Labelling of Tobacco Products Regulations, 2003 are hereby repealed.

SCHEDULE**Regulation 4(3)****List of Additional Health Warnings**

1. Smokers die younger
Min ipejjep imut żghir
2. Smoking clogs the arteries and causes heart attacks and strokes
It-tipjjip isodd l-arterji u jġib l-attakki tal-qalb u l-puplesiji
3. Smoking causes fatal lung cancer
It-tipjjip jagħmel kanċer fil-pulmun
4. Smoking when pregnant harms your baby
Jekk tpejjep waqt it-tqala tagħmel hsara lit-tarbija tiegħek
5. Protect children: don't make them breathe your smoke
Ipprotegi lit-tfal : iġġelhomx jibilghu id-duħħan tas-sigaretti tiegħek
6. Your doctor or your pharmacist can help you stop smoking
It-tabib jew l-ispizjar jgħinuk biex tieqaf tpejjep
7. Smoking is highly addictive, don't start.
It-tipjjip huwa vizzju, tibdiex tpejjep
8. Stopping smoking reduces the risk of fatal heart and lung diseases
Jekk tieqaf tpejjep tnaqqas ir-riskju ta' attakki tal-qalb u mard tal-pulmun
9. Smoking can cause a slow and painful death
It-tipjjip jista' jwassal għal agunija fit-tul u hafna ugħigh
10. Get help to stop smoking - 21231247
Itlob l-għajnuna biex tieqaf tpejjep - 21231247
11. Smoking may reduce the blood flow and causes impotence
It-tipjjip inaqqas ic-ċirkulazzjoni tad-demem u jista' jwassal għal l-impotenza
12. Smoking causes ageing of the skin
It-tipjjip ikemmixlek il-ġilda

13. Smoking can damage the sperm and decreases fertility
It-tipjip jista' jagħmel hsara lill-isperma u jnaqqas il-fertilita'
14. Smoke contains benzene, nitrosamines, formaldehyde and hydrogen cyanide
Id-duhħan fih il-benzene, in-nitrosamines il-formaldehyde u l-hydrogen cyanide.