STANDARDIZED or PLAIN TOBACCO PACKAGING

INTERNATIONAL DEVELOPMENTS
Updated December 2023

IMPLEMENTATION SUMMARY

COUNTRIES SHOWN IN RED HAVE FULL IMPLEMENTATION. Full implementation means that the plain packaging requirements apply to both manufacturers and retailers. As shown in the table, most countries allow a transition period between the date when manufacturers must produce plain packs and a later date when retailers must sell all products in plain packs. This transition period allows retailers to sell through stock that is not in plain packaging before the requirements take effect.

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<tr>
<th>COUNTRY</th>
<th>MANUFACTURER LEVEL</th>
<th>RETAILER LEVEL</th>
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<td>1 AUSTRALIA</td>
<td>October 1, 2012</td>
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<td>2 FRANCE</td>
<td>May 20, 2016</td>
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<td>4 NEW ZEALAND</td>
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<td>6 IRELAND</td>
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<td>12 ISRAEL</td>
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<td>18 DENMARK</td>
<td>July 1, 2021¹</td>
<td>April 1, 2022²</td>
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<td>19 GUERNSEY</td>
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<td>24 OMAN ²⁵</td>
<td>April 4, 2024</td>
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<td>25 GEORGIA</td>
<td>July 31, 2024</td>
<td>July 31, 2024</td>
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¹ DENMARK: October 1, 2021 for e-cigarettes
² DENMARK: October 1, 2022 for e-cigarettes
³ MAURITIUS: The law required manufacturers, importers and retailers to implement plain packaging by May 31, 2023. However, through administrative practice, the implementation date was extended to December 1, 2023.
⁴ OMAN: The law required manufacturers and retailers to implement plain packaging by September 5, 2023. However, through administrative practice, the implementation date was extended to April 4, 2024 for manufacturers and July 4, 2024 for retailers.

FULL IMPLEMENTATION (in date order for implementation at retailer level)

AUSTRALIA
• December 1, 2011: Adoption of the Tobacco Plain Packaging Act.¹
• December 1, 2011: Adoption of the Tobacco Plain Packaging Regulations.²
• October 1, 2012 and December 1, 2012: Implementation date for manufacturers and retailers, respectively. Plain packaging is required for all available tobacco products (note: the sale of heated tobacco products is banned in Australia).
• Legal challenges: High Court constitutional challenge by tobacco industry dismissed in August 2012.³ Investment treaty claim by Philip Morris dismissed in December 2015.⁴ World Trade Organization (WTO) complaint brought by Honduras, Dominican Republic, Indonesia and Cuba – the dispute panel rejected all grounds of complaint in June 2018 and WTO Appellate Body upheld panel ruling in June 2020.⁵

FRANCE
• December 17, 2015: Adoption of Law n°2016-41⁶ (requiring plain packaging).⁷
• March 21, 2016: Adoption of Decree No. 2016-334 of March 21, 2016⁸ and Administrative Order of March 21, 2016⁹ with detailed plain packaging requirements.
• August 11, 2016: Adoption of Decree No. 2016-1117 of August 11, 2016¹⁰ containing additional plain packaging provisions.
• May 20, 2016 and January 1, 2017: Implementation date for manufacturers and retailers, respectively. Plain packaging is required for cigarettes and hand-roll tobacco.
• Legal challenges: The Conseil Constitutionnel upheld Law n°2016-41 in a decision on January 21, 2016.¹¹ The Conseil d’État dismissed six industry challenges in a decision given on December 23, 2016.¹²
UNITED KINGDOM

- March 16, 2015: Adoption of the Standardised Packaging of Tobacco Products Regulations. 13
- Legal challenges: High Court challenge by the tobacco industry was dismissed in May 201614 and the ruling was upheld by the Court of Appeal in November 2016.15

NEW ZEALAND

- June 6, 2017: Adoption of the Smoke-free Environments Regulations 2017.19 The 2017 Regulations were revoked and replaced by the Smokefree Environments and Regulated Products Regulations 202120 (which excluded smokeless tobacco products from plain packaging rules).
- March 14, 2018 and June 6, 2018: Implementation date for manufacturers and retailers, respectively. Plain packaging is required for all available tobacco products except smokeless tobacco (which includes heated tobacco products under the regulations).

NORWAY

- June 22, 2017: Adoption of Regulations no. 942 of 22 June 2017,22 which detailed plain packaging requirements.
- July 1, 2017 and July 1, 2018: Implementation date for manufacturers and retailers, respectively. Plain packaging is required for cigarettes, snus and hand-roll tobacco.
- Legal challenges: Swedish Match issued court proceedings claiming that plain snus boxes are in conflict with the free trade principle under the EEA/EU agreement. The District Court dismissed the application on November 6, 2017.23 Swedish Match filed an appeal on December 8, 2017. The appeal was dismissed on February 19, 2018.24

IRELAND

- March 10, 2015: Adoption of the Public Health (Standardised Packaging of Tobacco) Act.25
- September 29, 2017: Adoption of the Public Health (Standardised Packaging of Tobacco) Regulations 2017.26
- September 30, 2017 and September 20, 2018: Implementation date for manufacturers and retailers, respectively. Plain packaging is required for all available tobacco products.
- Legal challenge: Claim by Japan Tobacco International in the Commercial Court was struck down in November 2016.27

THAILAND

- April 2, 2017: Adoption of the Tobacco Products Control Act 2017,28 which included a provision (Article 38) that allows the Minister of Public Health to introduce regulations for plain packaging.
- September 10, 2019 and December 8, 2019: Implementation date for manufacturers and retailers, respectively. Plain packaging is only required for cigarettes.

URUGUAY

- December 21, 2018: Adoption of Law No. 19,72331 that amended Law No. 18,25632 to provide for tobacco plain packaging with implementation in 12 months.
- April 29, 2019: Adoption of Decree No. 120/01933 which provided detailed plain packaging requirements and repealed Decree No. 235/01834 (that mandated plain packaging with an earlier implementation date).
- December 21, 2019: Implementation date for manufacturers and retailers. Plain packaging is required for cigarettes and hand-roll tobacco.
- September 22, 2022: Adoption of Decree No. 282/022,35 which amended Decree No. 120/019 to allow tobacco companies to print distinctive elements on cigarette sticks and include inserts in tobacco packs.
- October 19, 2022: Injunction issued by Uruguayan court,36 which prevented the implementation of Decree No. 282/022. An administrative challenge to the Decree was also filed and is pending a decision.
- Legal challenges: BAT filed two legal challenges. The first challenged Decree No. 235/018; the tribunal at first instance issued an injunction suspending the decree, but this was overturned on appeal.37 BAT also challenged Decree No. 120/019 and this challenge was decided in favor of the government.38
SAUDI ARABIA
- December 12, 2018: Adoption of Plain Packaging Standards of Tobacco Products.\(^3^9\)
- August 23, 2019 and January 1, 2020: Implementation date for importers and for retailers, respectively. Plain packaging is required for cigarettes, cigars, hand-roll tobacco, and tobacco molasses (waterpipe tobacco).

SLOVENIA
- February 15, 2017: Adoption of the Restrictions of the Use of Tobacco Products Act,\(^4^0\) which implemented the European Union Tobacco Products Directive and included provisions for plain packaging.
- March 28, 2019: Adoption of the Rules on the Uniform Packaging of Tobacco Products.\(^4^1\)
- January 1, 2020: Implementation date for manufacturers and retailers. A parliamentary proposal to delay implementation was defeated in the Health Committee. Plain packaging is required for cigarettes and hand-roll tobacco.

TURKEY
- November 15, 2018: Adoption of Law No. 7151 amending Law No. 4207,\(^5^2\) to introduce plain packaging provisions.
- March 1, 2019: Adoption of the Regulations on the Procedures and Principles Related to the Production Methods, Labelling and Surveillance of Tobacco Products,\(^4^3\) as amended on June 27, 2019.\(^4^4\)
- December 5, 2019 and January 5, 2020: Implementation date for manufacturers and retailers. The original implementation date for manufacturers was July 5, 2019, but this was delayed by amending regulations. Plain packaging is required for all available tobacco products (note: the import of e-cigarettes and heated tobacco products is banned, and the products have not been approved for manufacture; no smokeless tobacco products are licensed for sale in Turkey).

ISRAEL
- January 8, 2019: Adoption of an amendment to the Prohibition of Advertising and Restriction of Marketing of Tobacco and Smoking Products Law,\(^4^5,4^6\) inserting plain packaging provisions.
- January 8, 2020: Implementation date for manufacturers and retailers. Plain packaging is required for all available tobacco products, including heated tobacco products (tobacco inserts and devices) and e-cigarettes. The law excludes cigar and pipe tobacco sold at specialty shops. Israel was the first country to apply plain packaging to e-cigarettes.
- Legal challenges: JUUL Labs and the Tel Aviv Chamber of Commerce brought legal claims challenging the application of the law, including the plain packaging provisions, to e-cigarettes. Both claims were dismissed or withdrawn in November 2019.\(^4^7\)

CANADA
- May 24, 2018: Adoption of the Act to amend the Tobacco Act and the Non-smokers’ Health Act and to make consequential amendments to other Acts,\(^4^8,5^0\) providing ministerial powers to implement plain packaging regulations.
- April 24, 2019: Adoption of the Tobacco Products Regulations (Plain and Standardized Appearance).\(^5^0\)
- November 9, 2019 and February 7, 2020: Implementation date for manufacturers and retailers, respectively. Plain packaging is required for all available tobacco products and devices used for consuming tobacco, including heated tobacco products (tobacco inserts and devices).

SINGAPORE
- July 1, 2019: Adoption of the amendments to the Tobacco (Control of Advertisements and Sale) Act,\(^5^1\) which included provisions allowing regulations for plain packaging.
- July 1, 2019: Adoption of the of Tobacco (Control of Advertisements and Sale) (Appearance, Packaging and Labelling) Regulations 2019.\(^5^2\)
- July 1, 2020: Implementation date for manufacturers and retailers. Plain packaging is required for all available tobacco products (note: the import, distribution and sale of e-cigarettes and heated tobacco products are banned in Singapore).

BELGIUM
- April 13, 2019: Adoption of the Royal Order on the Standardized Packaging of Cigarettes, Roll-Your-Own Tobacco, and Water Pipe Tobacco.\(^5^3\)
- April 16, 2019: Adoption of the Ministerial Order on the Conditions of Neutral and Uniform Unit and Outer Packaging of Cigarettes, Roll-Your-Own Tobacco, and Water Pipe Tobacco.\(^5^4\)
- January 1, 2020 and January 1, 2021: Implementation date for manufacturers and retailers, respectively. Plain packaging is required for cigarettes, hand-roll and waterpipe tobacco.
- Legal challenges: BAT filed suit requesting the suspension of the implementation of plain packaging and an annulment of the requirements. The Court denied their requests.\(^5^5\)

NETHERLANDS
- March 14, 2020: Adoption of Decree of 14 March 2020 amending the Tobacco and Smoking Products Decree in connection with the introduction of plain packaging.\(^5^6,5^7\)
- April 20, 2020: Adoption of Regulation amending the Tobacco and Smoking Products Regulations in connection with the introduction of standard packaging for cigarettes and hand-roll tobacco.\(^5^8,5^9\)
- October 1, 2020 and October 1, 2021: Implementation date for manufacturers and retailers, respectively. Plain packaging is required for cigarettes and hand-roll tobacco.
HUNGARY

- August 19, 2016: Implementation date for all new brands/variants placed on the market (the first new brand appeared on the market in plain packaging in August 2017).  
- December 13, 2018: Adoption of Government Regulation 244/2018, delaying, in part, the implementation of plain packaging.  
- January 1, 2022: Implementation date for all brands to be in plain packaging. The original implementation date was May 20, 2019. Plain packaging is required for cigarettes and hand-roll tobacco.

DENMARK

- December 21, 2020: Adoption of Act No. 2071 amending the Tobacco Products Act, etc. requiring plain packaging for tobacco products (except cigars and pipe tobacco) and e-cigarettes.  
- March 22, 2021: Adoption of Order No. 572 on the standardization of packaging of tobacco and herbal smoking products.  
- April 19, 2021: Adoption of Order No. 699 on the standardization of electronic cigarettes and refill containers with and without nicotine.  
- July 1, 2021 and April 1, 2022: Implementation date for manufacturers and retailers, respectively, with regard to tobacco products. Plain packaging is required for all available tobacco products (including heated tobacco inserts) except cigars and pipe tobacco.  
- October 1, 2021 and October 1, 2022: Implementation date for manufacturers and retailers, respectively, with regard to e-cigarettes.

GUERNSEY

- May 18, 2021: Adoption of the Tobacco Advertising and Related Activities (Guernsey) Regulations, 2021 requiring plain packaging.  
- July 31, 2021 and July 31, 2022: Implementation date for manufacturers and retailers, respectively. Plain packaging is required for cigarettes and hand-roll tobacco.

JERSEY

- June 20, 2021: Adoption of the Restriction on Smoking (Standardised Packaging and Labelling) (Jersey) Regulations 2021.  
- January 1, 2022 and July 31, 2022: Implementation date for manufacturers/importers and retailers, respectively. Plain packaging is required for cigarettes and hand-roll tobacco.

FINLAND

- April 13, 2022: Adoption of the Act Amending Tobacco Act (No. 283/2022), requiring plain packaging for all available tobacco products and e-cigarettes.  
- April 26, 2022: Adoption of Decree No. 296/2022 Amending the Decree on the Warning Labels on Unit Packets of Tobacco Products and Similar Products.  
- May 1, 2023: Implementation date for manufacturers and retailers. Plain packaging is required for all available tobacco products and e-cigarettes.

MAURITIUS

- June 10, 2022: Adoption of the Public Health (Restrictions on Tobacco Products) Regulations 2022 requiring plain packaging for tobacco products.  
- December 20, 2022: Adoption of the Public Health (Restrictions on Tobacco Products) (Amendment) Regulations 2022, delaying, in part, the implementation of plain packaging.  
- December 1, 2023: Implementation date for manufacturers, importers and retailers. The original implementation dates were December 31, 2022 and March 31, 2023 for manufacturers and retailers, respectively. The implementation date for manufacturers, importers and retailers was subsequently extended to May 31, 2023 and extended again through administrative practice. Plain packaging is required for all available tobacco products except green tobacco (note: the manufacture, import, distribution and sale of e-cigarettes, heated tobacco products, and smokeless tobacco products are banned in Mauritius).

MYANMAR

- October 12, 2021: Adoption of Ministry of Health Order No. 453/2021, Order for Packaging of Tobacco Products and Printing of Health Warning Pictures and Text Statements According to the Standards pursuant to powers in the Control of Smoking and Consumption of Tobacco Product Law (Law No. 5/2006).  
- April 1, 2022: Notification No. 62/2022 issued delaying the implementation of plain packaging from April 10, 2022 to January 1, 2023.  
- September 27, 2022: Notification No. 2023/2022 issued further delaying the implementation of plain packaging from January 1, 2023 to December 31, 2023.  
- December 31, 2023 and March 31, 2024: Implementation date for manufacturers and importers and for retailers, respectively. Plain packaging will be required for cigarettes.
OMAN
- June 1, 2023: Adoption of Omani Standard Specification 1655:2022 Plain Packaging of Tobacco Products.\(^{75}\)
- April 4, 2024 and July 4, 2024: Implementation date for manufacturers and retailers, respectively. The original implementation date for manufacturers and retailers was September 5, 2023, however the date was extended through administrative practice. Plain packaging is required for all available tobacco products (\textit{note}: the sale of smokeless tobacco products is banned in Oman).

GEORGIA
- May 17, 2017: Adoption of an amendment to the Law of Georgia on Tobacco Control,\(^{77}\) which included provisions for a plain packaging decree to be adopted by July 1, 2017 and implemented by January 1, 2018.
- May 16, 2022: Adoption of Resolution No. 257 Regarding Approval of Technical Regulations of a Tobacco Product, its Packaging and Standardization Intended for Sale in Georgia,\(^{78}\) which required implementation of plain packaging for manufacturers and retailers on December 31, 2022.
- November 29, 2022: Adoption of an amendment to the Law of Georgia on Tobacco Control revised the effective date for plain packaging implementation.
- July 31, 2024: Implementation date for manufacturers and retailers. Plain packaging will be required for all available tobacco products, including heated tobacco products. E-cigarettes are specifically excluded from plain packaging requirements.

LAWS ADOPTED – DETAILED REGULATIONS NEEDED (\textit{in alphabetical order})
*Countries in this section need to adopt further regulations or decrees before implementation can take place.

ARMENIA
- February 13, 2020: Adoption of Law on Reduction and Prevention of the Damage Caused to Health by the Use of Tobacco Products and Substitutions for Them,\(^{79}\) which includes provisions banning brand colors, images and corporate logos on tobacco packaging and powers to adopt technical regulations.

BOTSWANA
- October 18, 2021: The President gave assent to the Tobacco Control Act 2021.\(^{80}\) Sections 42 (4)(a) and (5) provide powers to introduce plain packaging of tobacco products.

CÔTE D’IVOIRE
- July 23, 2019: Adoption of Law No. 2019-676 Concerning Tobacco Control,\(^{81}\) providing powers to adopt regulations requiring plain packaging.
- January 26, 2022: Adoption of Decree No. 2022-75 Implementing Health Warnings, Packaging, Labeling and Marketing of Tobacco and Tobacco Products,\(^{82}\) establishing plain packaging rules. Further Ministerial Orders are required to establish the pack color and implementation dates.

ROMANIA
- October 12, 2016: Adoption of Law No. 201/2016,\(^{83}\) implementing the European Tobacco Products Directive (TPD) and including provisions that allow the Health Minister to introduce plain-packaging regulations.
STANDARDIZED OR PLAIN TOBACCO PACKAGING: INTERNATIONAL DEVELOPMENTS

LEGISLATION BEING CONSIDERED BY PARLIAMENT (in alphabetical order)

CHILE
• A bill providing powers to introduce plain packaging was passed in the Senate in July 2015 and moved to the Committees. Over the course of six years, the bill was approved by the Health Committee but rejected by the Agriculture Committee in December 2021. The Chamber of Deputies considered the Bill further and passed it ‘in general,’ meaning that it moved back to the Health Committee for further consideration.

MEXICO
• On September 9, 2020, a draft bill was introduced to the Chamber of Deputies that modifies the current tobacco control legislation and provides powers for the government to introduce plain packaging. On September 6, 2022, another draft bill was presented to introduce plain packaging (and increase pictorial warnings).

COSTA RICA
• In March 2021, a bill that included provisions for standardized packaging was introduced but has remained in the Committee of Social Affairs since August 2021. Hearings at the Committee level were held in March and April 2022. The bill was approved by the Committee of Social Affairs and the next step is for the bill to be discussed in the plenary of the National Assembly.

Ecuador
• A bill for plain packaging was introduced to the National Assembly on August 3, 2016, and has subsequently been assigned to the health committee.

SOUTH AFRICA
• On December 9, 2022, the Tobacco Products and Electronic Delivery Systems Control Bill was introduced to Parliament and is currently under consideration by the National Assembly. This Bill mandates standardized packaging for tobacco products and authorizes the Minister of Health to implement standardized packaging for tobacco devices, e-cigarettes, and other non-nicotine and nicotine-containing products.

UNDER FORMAL GOVERNMENT CONSIDERATION (in alphabetical order)

LITHUANIA
• The Lithuanian government has drafted proposed amendments to the tobacco control law that include provisions for plain packaging (as well as a display ban and extended smoke-free rules). The proposal has yet to come before parliament.

SWEDEN
• The Minister of Health directed the committee examining the implementation of the European Union Tobacco Products Directive to also consider plain packaging. The committee report, presented in March 2016, recommended plain packaging, but concluded that implementing it would require a change to the Swedish constitution. The government has yet to propose a bill in response to the committee’s report.

SRI LANKA
• The Cabinet approved a proposal to introduce standardized packaging of tobacco on April 10, 2018.

OTHER RELEVANT LAWS

TIMOR-LESTE
• On May 9, 2018, a Ministerial Statutory Order on the labeling of tobacco products was adopted, requiring certain elements of plain packaging, including that all surfaces not covered by health warnings be colored Aluminum Gray (RAL 9007) and that the brand or logo only appear on the front outer surface (the Ministerial Statutory Order also stipulates new pictorial health warnings covering 100% of the back surface and 85% of the front surface – the largest in the world). Any text or logos must be white in color, however, because a logo is allowed and the brand name may appear in a stylized font, the requirements are not a full plain packaging policy. The Statutory Order came into force on September 6, 2018 (120 days after publication). It replaced a previous statutory order with similar requirements.

EUROPEAN UNION
• The revised European Union Tobacco Products Directive (TPD) was adopted on April 3, 2014 and came into force on May 20, 2016. The TPD introduces some elements of pack standardization and provides that the 27 EU Member States have the option to adopt further requirements to standardize tobacco packaging (Article 24(2)).
STANDARDIZED OR PLAIN TOBACCO PACKAGING: INTERNATIONAL DEVELOPMENTS


5 Australia — Certain Measures Concerning Trademarks and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging. Dispute numbers DS435, DS441, DS458 and DS467


27 JTI v. Minister for Health, Ireland and the Attorney General 2015/2530P.


89 Bill 216. Accessed August 31, 2023. http://ppless.asambleaacional.gob.ec/alfresco/d/d/workspace/SpacesStore/1e1af4f6-ca22-4341-8802-d700d72ce08a/Proyecto%20de%20ley%20Org%20%En%20Reformatoria%20la%20Ley%20Org%20%Para%20la%20Direccion%20Control%20del%20Tabaco%20Tr.%2020257384


95 The EU Tobacco Products Directive introduces some pack standardization provisions (on shape and minimum quantities together with 65% front and back picture health warnings) but does not itself impose full standardized packaging. Instead, it provides the EU Member States with the ability to act directly through domestic legislation (see Article 24(2)).