REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE

MINISTRY OF HEALTH, PUBLIC HYGIENE, AND UNIVERSAL HEALTH COVERAGE

REPUBLIC OF COTE D'IVOIRE
Unity-Discipline-Work

[At the center of the page there is an illegible watermark]

ORDER No. [stamp: No. 00848] **MSHPCMU/CAB OF** [stamp: No. JUNE 18, 2024] **IMPLEMENTING HEALTH WARNINGS AND PLAIN PACKAGING FOR TOBACCO AND TOBACCO PRODUCTS**

THE MINISTER OF HEALTH, PUBLIC HYGIENE, AND UNIVERSAL HEALTH COVERAGE,

In view of the Constitution;

In view of Act No. 2013-865 of December 23, 2013 on anticounterfeiting, antipiracy, and the protection of intellectual property rights in import, export, and marketing operations for goods and services;

In view of Act No. 2019-676 of July 23, 2019 on tobacco control in Côte d'Ivoire;

In view of Decree No. 2021-465 of September 8, 2021 organizing the Ministry of Health, Public Hygiene, and Universal Health Coverage;

In view of Decree No. 2022-75 of January 26, 2022 on the procedures for implementing health warnings, packaging, labeling, and marketing of tobacco and tobacco products;

In view of Decree No. 2022-76 of January 26, 2022 instituting a tracking, traceability, and tax verification system for tobacco products;

In view of Decree No. 2023-813 of October 16, 2023 appointing the Prime Minister, Head of Government;

In view of Decree No. 2023-814 of October 17, 2023 appointing the Members of the Government, as modified by Decree No. 2023-1023 of October 27, 2023;

In view of Decree No. 2023-820 of October 25, 2023 on the responsibilities of the Members of the Government;

Considering the needs of service,

ORDERS:

CHAPTER 1: GENERAL PROVISIONS

Article 1: For the purposes of this Order, the terms below shall have the following meanings:

Packaging: Any packing, covering, or packet of any form (pouch, box, carton, etc.) in which tobacco products are usually sold, including any self-adhesive labels and other written or graphic information on or inside the packaging.

REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE

Outer packaging: Any visible packaging sold to the consumer including one or more unit packs, but not including transparent packaging.

Unit pack: The smallest tobacco product package available for retail sale.

Brand name: Any name by which a tobacco product is marketed; it may be used to market tobacco products belonging to the same brand family and may be a business or company name.

Variant name: Any name used to distinguish different tobacco products belonging to the same brand family.

Outer surface: Any visible surface and any surface covered by the flap, before the tobacco product packaging is opened.

Inner surface: Any surface of tobacco product packaging that is hidden when the flap is closed.

Article 2: The purpose of this Order is to define the procedures for implementing health warnings and plain packaging for tobacco and tobacco products.

CHAPTER 2: HEALTH WARNINGS

Article 3: Texts, images, and pictograms shall be printed in a way that is visible, legible, permanent, and unremovable. They shall not be concealed or partially or totally interrupted, and they shall remain intact when the packaging unit is opened.

Article 4: Health warnings shall cover 70% of the main front and back surfaces and occupy the entirety of the surface of the packaging unit or outer packaging that is reserved for them.

Article 5: Texts, images, and pictograms designed by the Ministry of Health through the National Program to Combat Tobacco, Alcohol, Drug Use and Other Addictions (*Programme National de Lutte contre le Tabagisme, l'Alcoolisme, la Toxicomanie et autres Addictions*, PNLTA) shall be sent electronically to tobacco and tobacco product manufacturers, producers, importers, and distributors for placement on each of the main surfaces of the tobacco or tobacco product pack, cartridge, or carton, as well as any other required packaging surfaces.

Any other health warnings are strictly prohibited.

Article 6: A smoking cessation help message aimed at consumers and their loved ones shall be placed on the main surfaces of each tobacco product packaging unit or pack.

Article 7: Information messages on the risk and negative socioeconomic impacts of tobacco use shall cover 65% of each lateral surface.

REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE

CHAPTER 3: IMPLEMENTATION OF PLAIN PACKAGING

Article 8: The number of combined image-and-text messages to be placed on the main surfaces for twenty-four months is two.

Article 9: Each combined image-and-text messaLege shall be used for a period of twelve (12) months.

Article 10: When series of health warnings are renewed, there shall be a three-month transitional period for manufacturers, producers, importers, distributors, and retailers.
During this period, the two successive series shall be used concurrently.

Article 11: Tobacco product manufacturers, producers, importers, and distributors shall submit mockups of product packaging to the Ministry of Health through the National Program to Combat Tobacco, Alcohol, and Drug Use and Other Addictions (PNLTA) for approval before they are placed on the market.

CHAPTER 4: REQUIREMENTS RELATING TO COLOR, LABELING, AND OTHER CHARACTERISTICS OF PLAIN PACKAGING

Article 12: Unit packs shall be a single color: Pantone 448 C opaque couché with a matte finish.

Article 13: Messages shall be written in Helvetica typeface in a black, normal, regular-weighted font no smaller than point 10.
The background for the text of health warnings and the information in Article 7 shall be Pantone Yellow C, framed in black, 2-millimeter (point) inner borders.
The health help message in Article 6 shall meet the following criteria:

- Only alphanumeric characters and the "&" symbol shall be used.
- The first letter of the message shall be in uppercase; the rest of the message shall be in lowercase.
- The text size or font shall be no larger than point 10.
- Boldface shall be used.

Article 14: The outer packaging or unit pack of any tobacco product for retail and wholesale sale shall be labeled as follows:

- Only alphanumeric characters and the "&" symbol shall be used.
- The first letter of a word shall be in uppercase or lowercase; the rest of the word shall be in lowercase.
- The font color is Pantone Cool Gray 2 C with a matte finish.
- Boldface is not permitted.
- The manufacturer's contact details shall be listed on the inner surface in a font size no larger than point 10.
- The number of cigarettes shall be listed in a font size no larger than point 10 on the right lateral surface of the flip-top opening of the cigarette pack.
- The message "Vente autorisée en Côte d'Ivoire" (Authorized for sale in Côte d'Ivoire) shall be located on the upper surface of the opening in a font size no larger than 10.

REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE

- The messages "Prohibited to pregnant women" and "Prohibited to minors" in pictogram form shall be included on the main surfaces.
- The unique identification marking shall be placed on the inner surface of any packaging.
- The tax stamp shall be placed on the upper part of the back surface so as to seal the flip-top opening.

Images accompanying the messages shall be printed in color.

Article 15: A unit pack of cigarettes shall contain a lining composed of a single sheet of plain silver aluminum foil with a white paper backing.

All tobacco product linings shall be white or Pantone 448 C and have a matte finish.

The unit pack linings for all tobacco products shall meet the following criteria:

- Act as a separate removable container.
- Be able to seal or reseal the unit pack.
- Be removed from the unit pack before retail sale.

For production or packaging purposes, the lining may contain small dots or squares in its texture.

All textures shall be of equal size and shall not constitute an image or symbol.

Article 16: All unit packs shall be covered by a transparent, colorless, odorless wrapper meeting the following criteria:

- Be smooth and flat.
- Not contain any markings or texture not required by the production process; however, it may contain black squares or marks to cover the barcodes.

Article 17: The tear strip for any packaging shall be:

- Transparent.
- Of a width not exceeding 3 millimeters.
- Parallel to the upper border of the packaging.

The tear strip shall be a continuous black line of a length not exceeding 15 millimeters.

Tobacco product packaging shall not emit any sounds or scents.

Article 18: The insertion of any additional material into a unit pack or outer packaging of a tobacco product is prohibited.

Article 19: When tobacco products are sold to consumers in outer packaging containing at least 2 unit packs, such as in a carton, the outer packaging shall be clear or transparent so as not to conceal the outer packaging of the unit pack, unless when strictly necessary to display any information required by this Order.

Article 21: The tape or glue used on or in packaging shall be transparent and colorless.

REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE REPUBLIC OF COTE D'IVOIRE

Article 22: Tobacco or tobacco product packaging shall not contain any element or feature that changes after sale, including:

- Any heat-activated ink.
- Any ink, element, or feature that becomes visible over time.
- Any ink that appears fluorescent under certain lighting.
- Any part of the packaging that may be scratched or manipulated to reveal an image or text.
- Any removable label or tab.
- Any foldable surface.

Article 23: A unit pack of cigarettes shall be a cuboid of rigid cardboard and constructed in such a way that the unit pack has the following characteristics:

- Has a flat, regular surface.
- Adjacent surfaces meet with rigid, straight edges.
- Opens and closes by means of a straight-edged flip-top cover that is hinged at the back of the packet.
- Complies with the following dimensions when the flip-top cover is closed:
- Height: at least 85 millimeters and no more than 125 millimeters.
- Width: at least 55 millimeters and no more than 82 millimeters.
- Depth: at least 20 millimeters and no more than 42 millimeters.

Article 24: The brand name shall be the only element that differentiates packs. It shall be placed at the bottom of the main surface of the side with the pack opening.
The outer packaging and the unit pack shall be labeled with a brand name and a variant name, as long as:

- They contain only alphanumeric characters and the “&” symbol.
- The first letter of a word is in uppercase or lowercase; the rest of the word is in lowercase.
- The font color is Pantone Cool Gray 2 C with a matte finish.
- Boldface is not used.
- The brand name takes up no more than one line and is no larger than point 14.
- The variant name is placed directly below the brand name, takes up no more than one line, and is no larger than point 10.

Article 25: All plain packaging placement requirements, including those mentioned above, shall be specified in a guide appended to this Order.

Article 26: The name of the variant does not constitute a misleading, deceptive, or false expression regarding the health consequences of tobacco use and nicotine addiction, creating or likely to create in the consumer the false impression that a particular tobacco product is less harmful than others, or any other term with a similar meaning even in other languages, such as "Low tar," "mild," "light," "ultralight."

CHAPTER 5: TRANSITIONAL AND FINAL PROVISIONS

Article 27: Tobacco and tobacco product manufacturers, producers, importers, and distributors shall have six (6) months from the signature hereof to comply with this Order.

Article 28: The Director General of Health, through the National Program to Combat Tobacco and Other Addictions, is responsible for the enforcement of this Order, which shall be published in the

Official Gazette of the Republic of Côte d'Ivoire.

Issued in Abidjan on [stamp: June 18, 2024]
[signature]

Pierre Dimba
[stamp: Ministry of Health, Public Hygiene, and Universal Health Coverage
MINISTER]

Certified copies:

- Secretariat General of the Government
- All Ministries
- Directorate General of the Treasury and Public Finance (DGTCP)
- Directorate of Financial Control (DCF)
- Office of the Ministry of Health, Public Hygiene and Universal Health Coverage (MSHPCMU)
- Directorates of the MSHPCMU
- PNLTA
- Health police
- Official Gazette of the Republic of Côte d'Ivoire (JORCI)