

MINISTRY OF HEALTH- MINISTRY  
OF INDUSTRY AND TRADE

SOCIALIST REPUBLIC OF VIETNAM  
Independence- Freedom- Happiness

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**6<sup>th</sup> DRAFT**

February 6, 2013

## **JOINT CIRCULAR**

### **on the labeling, printing the health warnings on the packet of tobacco products**

Pursuant to the Law No 09/2012/QH13 dated on 18 June 2012 on prevention and control of tobacco harms;

Pursuant to the Government Decree No 89/2006/NĐ-CP dated on 30 August 2006 on the labeling of products;

Pursuant to the Government Decree No 63/2012/NĐ-CP dated on 31 August 2012 on the functions, responsibilities, tasks and organization structure of the Ministry of Health;

Pursuant to the Government Decree No 95/2012/NĐ-CP dated on 12 November 2012 on the functions, responsibilities, tasks and organization structure of the Ministry of Industry and Trade;

The Minister of Health and the Minister of Industry and Trade issue the Joint Circular regulated on labeling and printing the health warnings on the packet of tobacco products as followings:

#### **Article 1. Scope**

This Joint Circular regulates labeling and printing of the health warnings on the packet of tobacco products that are manufactured, imported for consumption in the territory of Vietnam.

#### **Article 2: Interpretations of terms**

*Tobacco packet* is the tobacco pack, carton or box which are used to contain the tobacco products and circulated together with the tobacco products.

#### **Article 3. Requirements for labeling the health warnings on package of tobacco products**

1. Labeling the package of tobacco products should be in conformity with the Law on Prevention and Control of tobacco harms, other regulations on the labeling of goods and the regulations of this Circular.

2. The label of tobacco product must be included the followed contents:

a) Name of product:

- b) Name and address of the organizations and individuals in charge of this product
- c) Origin of product (applicable for imported tobacco product);
- d) Quantity;
- đ) Health Warnings;
- e) Stamping or printed code and bar code;
- g) Date of manufacture; Date of expiry;

3. The health warnings should be in Vietnamese and prohibited to use any forms or words that cause a misunderstanding on the characteristics or impacts of tobacco harms to the human health such as “low tar”, “light”, “ultra-light”, “mild” or/and other words with similar meaning or interpretation which result in a suggestion that this kind of tobacco product is less harmful than others; or less harmful to the human health. It is except for the words, terms belonged to the name of tobacco branch that are registered for intellectual property in Vietnam before the day of the Law on Prevention and Control of tobacco harms taken into effect.

#### **Article 4. Requirement of the health warnings on tobacco package**

##### 1. Sample of health warnings:

The packet of tobacco product that is manufactured, imported for consumption in Vietnam shall be printed with health warnings samples presented in the Appendix 1 attached to this Joint Circular. The health warnings should be clear and visible.

##### 2. Position of health warnings:

- a) The health warnings shall be printed in both of principal surfaces of tobacco packet and should ensure that none of any health warnings is hidden or obscured by any other material or images which is except for stamping as regulated.

In case of the tobacco products having some packs, the health warnings should be printed with all of these packs as regulated in this Joint Circular.

In case of the tobacco product using the external plastic package, the transparent plastic part must not be colored to hide or obscure any part of health warnings, except for the tobacco pack is printed **by anti- counterfeiting logo that is registered for intellectual property in Vietnam before the issuance day of this Joint Circular.**

- b) The health warnings should be printed in parallel with and adjacent to the upper edge of the packet of tobacco products

##### 3. Area of health warning:

The area occupied by printed health warnings shall account for at least 50% of the principal surfaces of the tobacco packet.

##### 5. Color of health warnings:

The image of health warnings is printed four or more basic colors, with the resolution of no less than 300DPI resolution (dot per inch).

6. Rotation of the use of health warnings:

a) Each tobacco product of one tobacco branch should be printed with one out of six health warning samples as regulated in the Appendix 1 attached to this Joint Circular. The different tobacco products of one tobacco branch should be printed with different health warning samples. If there are more than six tobacco products of one tobacco branch, they should be printed all of six health warning samples.

b) The sample of health warnings should be periodically changed in the interval of two years.

**Article 5. Validity**

1. This Joint Circular shall be taken into effect in 1 May 2013.

2. The Decision No 02/2007/QĐ-BYT dated 15 January 01, 2007 by the Minister of Health on the hygiene and safety of tobacco products is annulled **since the day of this Joint Circular taken into effect.**

**Article 6. Transition clause**

1. The tobacco products in soft packet that are manufactured, imported for consumption since May 1, 2013 for consumption in the territory of Vietnam shall be printed with health warnings samples presented in the Appendix 1 attached to this Circular, but not later than 6 months since the day of this Joint Circular taken into effect.

2. The tobacco products in hard packet that are manufactured, imported for consumption since May 1, 2013 for consumption in the territory of Vietnam shall be printed with health warnings samples presented in the Appendix 1 attached to this Joint Circular, but not later than 10 months since the day of this Joint Circular taken into effect.

**3. The tobacco manufacturing and importing companies take the responsibility to declare and to report the number of tobacco pack, carton or box which is printed the health warnings as regulations before May 1, 2013 to the Ministry of Health and the Ministry of Industry and Trade to further handling of specific cases.**

**Article 7. Responsibly for implementation**

1. The domestic and international organizations and individuals who participate in the business of tobacco products in the territory of Vietnam assume responsibility for complying with the regulations on labeling and printing the health warnings in this Circular.

2. The Ministry of Health assigns the General Department of Health Service Administration and the Ministry of Industry and Trade assigns the Department of Science and Technology to take responsibility for guiding, monitoring and organizing the implementation of this Circular.

3. The People's Committees of provinces and centrally run cities direct the Director of Health Department and the Director of Industry and Trade to guide, monitor and organize for implementation of this Circular in their locality.

During the implementation, any problems arise should be promptly reported to the Ministry of Health (General Department of Health Service Administration) and the Ministry of Industry- Trade (Department of Science and Technology ) to further reviewing and solution.

**On behalf of Minister of Industry and Trade  
VICE MINISTER**

**On behalf of Minister of Health  
VICE MINISTER**

**Nguyen Nam Hai**

**Nguyen Thi Xuyen**

***Copies to:***

- Prime Minister (to report);
- Central Communist Party's State Bureau;;
- President Office;
- National Assembly Office;
- Government Bureau;
- VGP News, Government website;
- Ministries and agencies belonged to the Government;
- Minister of Health, Minister of Industry and Trade;
- Vice Ministers of Health; Vice Ministers of Industry and Trade;;
- People Committee of provinces and centrally run cities;
- Vietnam Tobacco Association;
- Department of Health Service, Department of Industry of Trade of provinces/centrally- run cities;
- Ministry of Justice (Dept. Of Examination of Legal Normative Documents);
- Website of Ministry of Health and Ministry of Industry and Trade.
- Achieved: VT BYT, BCT, PC, KCB- BYT; PC, KHCN- BCT.