Draft legislative proposals

Additions and amendments are italicised.

**Draft amendments to Act 9 March 1973 no. 14 relating to prevention of the harmful effects of tobacco**

§ 30. Standardised design and labelling of packaging and products

It is prohibited to import into Norway or sell tobacco packaging and tobacco products which are not of standardised design in accordance with detailed provisions established by the Ministry in regulations. *The same applies to electronic cigarettes and refill containers, regardless of nicotine content.* The standardisation may i.a. apply to colour, shape, appearance, material and labelling, including the use of brand names, logos and other elements tied to branding

The Ministry may issue regulations with respect to similar standardisation of labelling and design of packaging for smoking accessories and tobacco substitutes, and make exemptions for specific product categories. The Ministry may in regulations limit what type of retail outlets are permitted to sell products which are exempted from the standardisation requirement.

§ 30a. Health warning and product presentation

It is prohibited to import into Norway or sell tobacco products, electronic cigarettes and refill containers as well as herbal products fro smoking, which are not labelled with health warnings.

[It is prohibited to import into Norway or sell tobacco products, herbal products for smoking, electronic cigarettes and refill containers labelled with any element or feature, including texts, names, trademarks, symbols, figurative or other signs, that:

1. promotes a tobacco product or encourages its consumption by creating an erroneous impression about its characteristics, health effects, risks or emissions;
2. include any information about the nicotine, tar or carbon monoxide content of the tobacco product;
3. suggests that a particular product is less harmful than others or has vitalising, energetic, healing, rejuvenating, natural, organic properties or has other health or lifestyle benefits;
4. refers to taste, smell, any flavourings or other additives or the absence thereof;
5. resembles a food or a cosmetic product;
6. suggests that a certain tobacco product has environmental or financial advantages.

The provisions of the first ~~and second~~ paragraph do not apply to disposable e-cigarettes without nicotine and refill containers without nicotine. The prohibition on information about nicotine content in the second paragraph litra b ~~and reference to flavourings in litra d~~ *does* not apply to electronic cigarettes and refill containers. Second paragraph litra d and litra f do not apply to herbal products for smoking, but it is nevertheless not permitted to state that the product is free of additives or flavourings.

The Ministry may in regulations set supplementary provisions to implement the requirements in first and second paragraph, and make excemptions from them.

New § 32a. Ban on characterising flavours in electronic cigarettes etc.

*It is prohibited to import into or sell in Norway electronic cigarettes and refill containers, regardless of nicotine content, with characterising flavours. The same applies to separate containers of flavour additives for use in electronic cigarettes.*

*The prohibition in the first paragraph applies also to equipment and components which are used in connection with electronic cigarettes, which enables the altering of the products’ taste or smell.*

*The Ministry may make supplementary regulations concerning the prohibitions in the first and second paragraph, make exemptions, set maximum levels of additives or combinations of additives which gives a characterising flavour, and set fees to cover the governments handling and supervision of the prohibitions. The Ministry may also in regulations adopt a list of which flavour-determining additives are permissible to use as ingredients in electronic cigarettes and refill containers.*

**Draft amendments to** **Regulations 6 February 2003 no. 141 on content, labelling and design of tobacco products etc.**

§ 31. Minimum size and weight for tobacco products

A unit packet for sale to consumers containing

* cigarettes shall contain at least 20 cigarettes
* roll-your-own tobacco shall contain at least 30 grams
* *portions of tobacco for oral use shall contain at least 20 portions and 15 grams*
* *loose tobacco for oral snus at least 30 grams.*

These unit packets must not contain smaller packets and must not be dividable into smaller packets.

Cigars may be sold individually with health warnings on the packaging.