

Order on the standardisation of the packaging of tobacco substitutes¹

The following is laid down by virtue of Section 22(2) of the Act on tobacco products, etc., cf. Consolidation Act No 1161 of 4 November 2024, as amended by Act No 1669 of 30 December 2024:

Chapter 1

Definitions

Section 1. The following definitions apply for the purposes of this Order:

- 1) Lining: Paper or foil within a single pack.
- 2) Trade mark: The part of the trade name that constitutes the trademark of the product in relation to the information reported under Order No 243 of 22/02/2021.
- 3) Product name: The part of the trade name that constitutes the product's name, if any, in relation to the information reported under Order No 243 of 22/02/2021.
- 4) Single pack: The smallest individual pack of a tobacco substitute placed on the market.
- 5) Wrapping material: Transparent, colourless material enclosing one or more single packs and outer packaging.
- 6) Outer packaging: Any packaging in which a tobacco substitute is placed on the market and which encloses one or more single packs.
- 7) Outer surfaces: Surfaces that are visible when a single pack is closed and/or the outer packaging is unbroken.
- 8) Inner surfaces: Surfaces that are not visible when the single pack is closed.
- 9) Matt: That a surface appears completely matt, and thus not shiny, glossy, shimmering or the like.
- 10) Band: A tear-off strip that can be used to open a single pack, outer packaging or wrapping material.

Chapter 2

Colour requirements and packing elements on single packs, outer packaging and wrapping material for tobacco substitutes

Section 2. Single packs of tobacco substitutes and outer packaging and wrapping material shall have a standardised design in accordance with the requirements of this Order and other legislation regulating the labelling, etc., of single packs, outer packaging and wrapping material of tobacco substitutes.

Paragraph 2. Single packs, outer packaging and wrapping material may only be given labelling etc. that complies with this Order and other legislation.

Paragraph 3. Labelling, information, etc., which follows from other legislation, shall appear in a way that does not give the single pack or the outer packaging a unique expression or attention-raising effect or may not in any other way be considered contrary to the requirement for a standardised design for tobacco substitutes.

Paragraph 4. Inserts that have no function for the use of the product may not be placed in the package. The text inscribed on inserts that have a function for the product,

- 1) shall be on a white background;
- 2) may consist of the numbers 0-9;
- 3) shall be in the Helvetica typeface;
- 4) may consist of the symbols parentheses (-), aigu ('), apostrophe (') and the ampersand (&); and
- 5) shall be of the colour black.

Paragraph 5. Text, emblems or anything else on package leaflets about the use of a tobacco substitute under Section 2(5) may not appear in a way that contributes to unique expression, has attention-raising effect or may otherwise be considered contrary to the requirement for a standardised design.

¹ A draft of this order has been notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification).

Section 3. Outer packaging shall be matt Pantone 448 C, and inner surfaces of single packs shall be matt Pantone 448 C, white or silver-grey.

Paragraph 2. Sealing tape for single packs or outer packaging of tobacco substitutes shall be transparent and colourless or of the colour matt Pantone 448 C.

Paragraph 3. Section 3(2) shall not apply to the part of the sealing tape on which statutory labelling resulting from this Order or other legislation, such as health warnings, may have been printed.

Section 4. Lining visible when the single pack is open shall be of the colour matt Pantone 448 C

Paragraph 2. The lining may not bear any letters, numbers, signs, images, symbols or the like and may be perforated only in such a way that the perforation does not form an image, symbol, text, sign or similar.

Section 5. All elements of single packs and outer packaging of tobacco substitutes shall be tasteless and odourless and may not include technical solutions or devices whose sole purpose is to produce a sound effect.

Chapter 3

Surfaces etc. of single packs and outer packaging of tobacco substitutes

Section 6. Surfaces shall be flat and smooth and may not contain irregular elements such as labelling, engraving, texture, indentations, bumps or other features in form or structure.

Paragraph 2. Section 6(1) shall not apply to certain elements necessary to close the pack.

Paragraph 3. Section 6(1) shall not apply to certain elements on the pack which are necessary to stabilise the product, to attach the base, to attach the lid, to open and close the lid, or to the space for used tobacco substitutes.

Paragraph 4. Exemptions under Section 6(2) and (3) are only applicable as long as the unevenness does not give the pack a unique expression or attention-raising effect or may not in any other way be considered contrary to the requirement for a standardised design and expression for all tobacco substitutes.

Section 7. Surfaces, etc. of single packs and outer packaging may only bear such elements, etc. as laid down by law.

Chapter 4

Wrapping material on single packs and outer packaging of tobacco substitutes

Section 8. Single packs and outer packaging may be covered with transparent wrapping material.

Paragraph 2. Wrapping material shall be flat and smooth and may not contain irregular elements such as marking, embossing, texture, indentations, bumps or anything else in shape or structure.

Paragraph 3. Strips used to open wrapping material shall be transparent or black. It may be up to 3 millimetres wide. The strip may have a continuous, transparent or black line not longer than 15 mm which marks where the strip starts.

Paragraph 4. A black strip may not cover or hide health warnings and other markings etc. on the pack per this Order or other legislation.

Paragraph 5. The wrapping material may be applied only to elements necessary for the production process and may not alter the standardised expression.

Chapter 5

Labelling etc. on single packs and outer packaging of tobacco substitutes

Section 9. Labelling under this Order may not wholly or partly conceal text, warnings or other labelling etc. following from other legislation.

Section 10. Single packs and outer packaging may be given markings in two places with the trade mark and product name. The text inscribed

- 1) may consist of lowercase letters a-å, but such that the initial letter can be uppercase;
- 2) may consist of the numbers 0-9;
- 3) may consist of the symbols aigu (´), apostrophe (') and the ampersand (&);
- 4) shall be in the Helvetica typeface;
- 5) shall be of the colour matt Pantone Cool Gray 2 C;
- 6) shall have a font size of up to 10 point; and
- 7) shall be on the same surface as a health warning, be in a straight line and be written in the same direction as the health warning.

Paragraph 2. The trade mark may occupy one line.

Paragraph 3. The product name may occupy one line and shall be placed directly below the trade mark.

Section 11. Outer packaging and single packs of tobacco substitutes containing a flavouring may be labelled once with

- 1) 'Tobacco-flavoured'; or
- 2) 'With menthol taste'.

Paragraph 2. The text inscribed

- 1) shall be in the Helvetica typeface;
- 2) shall be of the colour matt Pantone Cool Gray 2 C;
- 3) shall have a font size of up to 10 point; and
- 4) shall be on the same surface as a health warning, be in a straight line and be written in the same direction as the health warning.

Section 12. Single packs and outer packaging may each be labelled once with information on the company name, address, e-mail address, telephone number and country of manufacture of the tobacco substitute concerned, worded as follows: 'Produced in' followed by the name of the country of production. The text inscribed

- 1) may consist of lowercase letters a-å, but such that the initial letter can be uppercase;
- 2) may consist of the numbers 0-9;
- 3) may consist of the symbols aigu (´), apostrophe (') and the ampersand (&);
- 4) may consist of the symbol @ in the e-mail address;
- 5) may be preceded by the symbol + in front of the country code in front of the telephone number;
- 6) shall be in the Helvetica typeface;
- 7) shall be of the colour matt Pantone Cool Gray 2 C; and
- 8) shall have a font size of up to 10 point.

Section 13. Outer packaging containing more than one single pack may be labelled once with

- 1) 'Nicotine product' or 'Nicotine pouch' in accordance with the contents of the pack;
- 2) the number of single packs contained in the package; and
- 3) the number of units in or the net weight of a single pack.

Paragraph 2. The text inscribed

- 1) shall be in the Helvetica typeface;
- 2) shall be of the colour matt Pantone Cool Gray 2 C;
- 3) shall have a font size of up to 10 point; and
- 4) shall be on the same surface as a health warning, be in a straight line and be written in the same direction as the health warning.

Section 14. Single packs may be labelled once with

- 1) 'Nicotine product' or 'Nicotine pouch' in accordance with the contents of the pack; and
- 2) the number of units in the single pack.

Paragraph 2. The text inscribed

- 1) shall be in the Helvetica typeface;
- 2) shall be of the colour matt Pantone Cool Gray 2 C;
- 3) shall have a font size of up to 10 point; and

4) shall be on the same surface as a health warning, be in a straight line and be written in the same direction as the health warning.

Section 15. A single pack of a tobacco substitute containing material necessary to use that tobacco substitute may be labelled once with that material in accordance with the material contained in the single pack. The text in question

- 1) may consist of lowercase letters, but such that the initial letter can be uppercase;
- 2) is in the Helvetica typeface;
- 3) is of the colour matt Pantone Cool Gray 2 C; and
- 4) has a font size of up to 10 point.

Section 16. Single packs and outer packaging of tobacco substitutes may each be labelled 'best before' followed by the date, and be labelled once 'Produced' followed by the date of production. The text inscribed

- 1) may consist of lowercase letters a-å, but such that the initial letter can be uppercase;
- 2) may consist of the numbers 0-9;
- 3) shall be in the Helvetica typeface;
- 4) shall be either of the colour black on a white background or of the colour matt Pantone Cool Gray 2 C on a white background;
- 5) shall have a font size of up to 10 point; and
- 6) shall be on the same surface as a health warning, be in a straight line and be written in the same direction as the health warning.

Section 17. Single packs and outer packaging containing a tobacco substitute may each be marked once with a barcode if

- 1) it is used for payment purposes, distribution or stock control;
- 2) it is either of the colour black on a white background or of the colour matt Pantone Cool Gray 2 C on a white background;
- 3) it does not constitute an image, pattern or symbol which resembles anything other than a barcode;
- 4) it is on the base or side of the pack; and
- 5) it may not otherwise be considered contrary to the requirement for a standardised design for tobacco substitutes.

Section 18. Single packs and outer packaging containing a tobacco substitute may bear production marking, including batch number, provided that the marking

- 1) is used to comply with other applicable rules, including rules on taxes;
- 2) is either of the colour black on a white background or of the colour matt Pantone Cool Gray 2 C on a white background;
- 3) does not constitute an image, pattern or symbol which resembles anything other than production marking;
- 4) is on the base or side of the single pack; and
- 5) may not otherwise be considered contrary to the requirement of a standardised design for all products containing a tobacco substitute.

Section 19. Single packs and outer packaging containing a tobacco substitute may bear a fold-out label provided that it

- 1) is used to comply with applicable rules for the labelling of tobacco substitutes resulting from this Order or other legislation;
- 2) is either of the colour black on a white background, of the colour matt Pantone Cool Gray 2 C on a white background or of the colour required by other legislation for that marking on a white background;
- 3) does not constitute an image, pattern or symbol which resembles anything other than what is warranted by the marking in question;
- 4) is on the base or side of the single pack; and
- 5) may not otherwise be considered contrary to the requirement of a standardised design for all products containing a tobacco substitute.

Chapter 6

Size of single pack

Section 20. The single pack for a tobacco substitute shall be of a size commensurate with the contents of the pack and thus not larger than the contents dictate.

Chapter 7

Penal provisions

Section 20. Unless a higher penalty is due under another law, the person who violates Sections 2–19 is fined.

Paragraph 2. Companies etc. (legal persons) may be rendered criminally liable in accordance with the provisions in Chapter 5 of the Penal Code.

Chapter 8

Entry into force

Section 21. This Order shall enter into force on 1 July 2025.

The Ministry of the Interior and Health, 4 March 2025

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